

Privy Council Appeal No. 49 of 1942

Gour Mohan Mullick and others - - - - - *Appellants*

v.

Kanto Mohan Mullick and another - - - - - *Respondents*

FROM

THE HIGH COURT OF JUDICATURE AT FORT WILLIAM
IN BENGAL

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL, DELIVERED THE 20TH OCTOBER, 1943

Present at the Hearing:

LORD ATKIN

LORD ROMER

LORD PORTER

LORD CLAUSON

SIR GEORGE RANKIN

[*Delivered by LORD ATKIN*]

Their Lordships will humbly advise His Majesty that the decree of the High Court in its Ordinary Original Civil Jurisdiction dated the 11th November, 1940, ought to be varied by substituting for the words: "each of the four defendants do pay to the plaintiff one-fourth part or share of the sum of Rupees seventy-one thousand, eight hundred and thirteen and annas nine", the words "each of the defendants Nos. 1, 2 and 4, do pay to the plaintiff one-fourth part or share of the sum of Rupees fifty-six thousand and thirty-eight and annas ten", and that in other respects that decree and the decree of the High Court in its Civil Appellate Jurisdiction dated the 15th July, 1941, ought to be affirmed.

By consent, the appellants will pay to respondent No. 1 one-half of his costs of this appeal.

In the Privy Council

GOUR MOHAN MULLICK AND OTHERS

v.

KANTO MOHAN MULLICK AND
ANOTHER

DELIVERED BY LORD ATKIN