

Privy Council Appeal No. 16 of 1946

Saran Singh - - - - - *Appellant*

v.

Dwarka Nath and others - - - - - *Respondents*

FROM

**THE COURT OF THE JUDICIAL COMMISSIONER
NORTH-WEST FRONTIER PROVINCE**

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE
OF THE PRIVY COUNCIL, DELIVERED THE 21ST MAY, 1947

Present at the Hearing:

LORD SIMONDS

LORD UTHWATT

SIR JOHN BEAUMONT

[*Delivered by* LORD SIMONDS]

In this case counsel for the appellant has been constrained to admit that there are concurrent findings of fact which, their Lordships consider, are a fatal obstacle to the success of this appeal. There is also a question of limitation which their Lordships think may be equally fatal. In the circumstances their Lordships will humbly advise His Majesty that the appeal ought to be dismissed. The appellant will pay the costs of the respondents in this appeal.

In the Privy Council

SARAN SINGH

2.

DWARKA NATH AND OTHERS

DELIVERED BY LORD SIMONDS