

**THE LAW REPORTS. INDIAN
APPEALS: BEING CASES IN THE
PRIVY
COUNCIL ON APPEAL FROM THE
EAST INDIES. VOL. VI. - 1878-9**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649626618

The Law Reports. Indian Appeals: Being Cases in the Privy Council on Appeal from the East Indies. Vol. VI. - 1878-9 by Herbert Cowell

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

HERBERT COWELL

**THE LAW REPORTS. INDIAN
APPEALS: BEING CASES IN THE
PRIVY
COUNCIL ON APPEAL FROM THE
EAST INDIES. VOL. VI. - 1878-9**

THE
LAW REPORTS.

1172
N

Indian Appeals:

BEING

CASES

IN

THE PRIVY COUNCIL

ON APPEAL FROM

THE EAST INDIES.

REPORTED BY HERBERT COWELL, Esq.,
OF THE MIDDLE TEMPLE, BARRISTER-AT-LAW.

VOL. VI.—1878-9.

LONDON:

Printed for the Incorporated Council of Law Reporting for England and Wales
BY WILLIAM CLOWES AND SONS,

DUKE STREET, STAMFORD STREET; AND 14, CHANCERY CROSS.
PUBLISHING OFFICE, 51, CAREY STREET, LINCOLN'S INN, W.C.

1879.

LIST
OF THE
JUDICIAL COMMITTEE
OF
HER MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL,
ESTABLISHED BY THE 3RD & 4TH WILL IV., C. 41,
FOR HEARING AND REPORTING ON APPEALS TO HER MAJESTY
IN COUNCIL.

1879.

Lord Cairns, Lord Chancellor.
The Duke of Richmond and Gordon, Lord President.
The Marquis of Ripon, formerly Lord President.
The Duke of Marlborough, formerly Lord President.
The Duke of Buccleuch, formerly Lord President.
The Duke of Buckingham, formerly Lord President.
The Earl Granville, formerly Lord President.
Lord Hatherley, formerly Lord Chancellor.
Lord Penzance, late Judge of Her Majesty's Court of Probate
and Divorce.
Lord Selborne, late Lord Chancellor.
Lord Aberdare, late Lord President.
Lord Coleridge, Lord Chief Justice of the Common Pleas.
Lord Blackburn, Lord of Appeal in Ordinary.
Lord Gordon, Lord of Appeal in Ordinary.

The Right Hon. Sir *Alexander James Edmund Cockburn*, Bart.,
Lord Chief Justice of *England*.

The Right Hon. Sir *Joseph Napier*, Bart., late Lord Chancellor
of *Ireland*.

The Right Hon. Sir *William Erle*, Knt., late Lord Chief Justice
of the Common Pleas.

The Right Hon. Sir *James William Colvile*, Knt., formerly Chief
Justice of the late Supreme Court at *Calcutta*.

The Right Hon. Sir *Fitz-Roy Edward Kelly*, Knt., Lord Chief
Baron of the Exchequer.

The Right Hon. Sir *Richard Torin Kindersley*, Knt., late a Vice-
Chancellor.

The Right Hon. Sir *Robert Joseph Phillimore*, Knt., D.C.L.,
Judge of the High Court of Justice.

The Right Hon. Sir *William Milbourne James*, Knt., Lord Jus-
tice of Appeal.

The Right Hon. Sir *Barnes Peacock*, Knt., formerly Chief
Justice of the High Court at *Calcutta*.

The Right Hon. *Mountague Bernard*, D.C.L.

The Right Hon. Sir *Montague Edward Smith*, Knt., formerly
Justice of the Common Pleas.

The Right Hon. Sir *Robert Porrett Collier*, Knt., formerly Jus-
tice of the Common Pleas.

The Right Hon. Sir *James Hannen*, Knt., Judge of the High
Court of Justice.

The Right Hon. Sir *John Barnard Byles*, Knt., formerly Justice
of the Common Pleas.

The Right Hon. Sir *George Jessel*, Knt., Master of the Rolls.

The Right Hon. Sir *Samuel Martin*, Knt., formerly Baron of
the Exchequer.

The Right Hon. Sir *Henry Singer Keating*, formerly Justice of
the Common Pleas.

The Right Hon. Sir *George W. W. Bramwell*, formerly Baron of
the Exchequer.

The Right Hon. Sir *Baliol Brett*, formerly Justice of the Com-
mon Pleas.

The Right Hon. Sir *Richard P. Amphlett*, formerly Baron of
the Exchequer.

A TABLE
OF THE
NAMES OF THE CASES REPORTED

IN THIS VOLUME.

	PAGE		PAGE
Achumbit Lal, Raj Bahadoor Singh v.	110	Doorga Churn Chatterjee, Ashutosh Dutt v.	182
Ashutosh Dutt v. Doorga Churn Chatterjee	182	Gouri Nachiar, Chidambaram Chettiar v.	177
Bissessur Lall Sahoo v. Maharajah Luchmessur Singh	233	Gouri Shunker v. Maharajah of Bulrampore	1
Chidambaram Chettiar v. Gouri Nachiar	177	Gulabdas Jugjivandas v. The Collector of Surat	54
Chogalall, Sameer Mull and Chunder Mull v.	238	Jodoo Lal Mulljok, Kali Kishen Tagore v.	190
Chotay Lall v. Chunno Lall	15	Kali Kishen Tagore v. Jodoo Lal Mullik	190
Chunno Lall, Chotay Lall v.	15	Koonj Behari Pattuk, Rameshur Pershad Narain Singh v.	33
Collector of Mudura, Ramasawmi Chetti v.	170	Krishnasawmi Tata Chariar, Tiru Krishnama Chariar v.	120
Collector of Surat, Gulabdas Jugjivandas v.	54	Lalla Bisheshur Dyal, Doolar Chand Sahoo v.	47
Deputy Commissioner of Lucknow, Nawab Malka Jahan Sahiba v.	63	Lalla Chabeel Chand, Doolar Chand Sahoo v.	47
Doolar Chand Sahoo v. Lalla Bisheshur Dyal	47	Maharajah of Bulrampore, Gouri Shunker v.	1
Doolar Chand Sahoo v. Lalla Chabeel Chand	47		

	PAGE		PAGE
Maharajah Kishen Pertab Sahee, Rughoobur Dyal Sahoo v.	211	Rameshur Pershad Narain Singh v. Koonj Behari Pattuk	33
Maharajah Luchmessur Singh v. Bissessur Lal Sahoo	233	Rughoobur Dyal Sahoo v. Maha- rajah Kishen Pertab Sahee	211
Narayanrao Ramchandra Pant v. Ramabai	114	Sameer Mull and Chundun Mull v. Chogalall	238
Nawab Assur Bahu Begum, Prince Mirza Jehan Kudi Bahadur v.	76	Sayad Mir Ujmudin Khan Valad Mir Khamrudin Khan v. Zia-ul- nissa Begam	137
Nawab Malka Jahan Sahiba v. Deputy Commissioner of Luck- now	63	Sheo Proshad Singh, Suraj Bunsai Koer	88
Orde, Stuart Skinner alias Nawab Mirza v.	126	Stuart Skinner alias Nawab Mirza v. Orde	126
Prince Mirza Jehan Kudi Bahadur v. Nawab Assur Bahu Begum	76	Suraj Bunsai Koer v. Sheo Proshad Singh	88
Raj Bahadoor Singh v. Achumbit Lal	110	Thakoor Hurdeo Bux v. Thakoor Jowahir Singh	161
Rajah Kishendatt Ram v. Rajah Mumtaz Ali Khan	145	Thakoor Jowahir Singh, Thakoor Hurdeo Bux v.	161
Rajah Mumtaz Ali Khan, Rajah Kishendatt Ram v.	145	Tiru Krishnama Chariar v. Krish- nasawmi Tata Chariar	120
Ramasawmi Aiyan v. Vencatara- maiyan	196	Vencataramaiyan, Ramasawmi Aiyan v.	196
Ramasawmi Chetti v. The Collec- tor of Madura	170	Zia-ul-nissa Begam, Sayad Mir Ujmudin Khan Valad Mir Khamrudin Khan	137

TABLE OF AUTHORITIES CITED.

	PAGE
Baillie's Mahomedan Law, c. 1, p. 386	138
Boulnois' and Rattigan's Customary Law, p. 45	24
Colebrooke's Digest, bk. 1, c. v., par. 167	104
Gale on Easements [2nd Ed.] p. 181, n.	36
—————, p. 193	192
Hedayah, vol. iii., pp. 436, 444, bk. xxxiii. of Willa	138
Macnaghten's Hindu Law, vol. i., p. 22	18, 31
————— Mahomedan Law Glossary, <i>asbāh</i>	138
—————, c. ix., art. 11	138
Mayne's Hindu Law and Usage, sec. 288	103
Mitakshara, c. 1, s. 1, vv. 21, 27, 28, 29	94
—————, s. 3	94
—————, s. 5, vv. 5, 7, 8, 11	100
—————, c. ii., s. 1	20
—————, s. 4, vv. 1-7	24
Ramsay's Al Sirajiyah, p. 14	138
Strange's Hindu Law [1st Ed.] vol. i., p. 179	102
—————, vol. ii. App. pp. 277, 282	102
Tagore Law Lectures (1873) p. 88 and note to pp. 88, 90	138
Vyavastha Darpana, p. 343	94

