

Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Musammat Hanif-un-nisa and another v. Chaudhrai Musammat Faiz-un-nisa (since deceased, now represented by Abdul Shakur Khan and another) and another, from the High Court of Judicature for the North-Western Provinces, Allahabad; delivered the 14th February 1911.

PRESENT AT THE HEARING :

LORD MACNAGHTEN.

LORD ROBSON.

SIR ARTHUR WILSON.

MR. AMEER ALI.

[DELIVERED BY LORD MACNAGHTEN.]

Their Lordships think the Decree appealed from cannot be sustained. They are of opinion that the proper course will be to remit the case to the High Court to be dealt with on the evidence, and they will humbly advise His Majesty accordingly. The costs of the further hearing will be costs in the cause. As the Appellants have been successful upon the point of law, they will have their costs of the Appeal incurred in England.

In the Privy Council.

MUSAMMAT HANIF-UN-NISA AND
ANOTHER

v.

CHAUDHRAIN MUSAMMAT FAIZ-UN-
NISA (since deceased, now represented
by ABDUL SHAKUR KHAN and
another) AND ANOTHER.

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