

Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of Musammatt Bhawani Kunwar v. Kunwar Himmat Bahadur and another, from the High Court of Judicature for the North-Western Provinces, Allahabad; delivered the 15th February 1911.

PRESENT AT THE HEARING :

LORD MACNAGHTEN.

LORD ROBSON.

SIR ARTHUR WILSON.

MR. AMEER ALI.

[DELIVERED BY LORD MACNAGHTEN.]

The facts of this case are very complicated in detail, but it seems to their Lordships that judgment can be given in a single sentence.

The Appellant has not proved that there was any obligation on the part of Nityanand or his estate to pay the monies which were paid by his wife. The obligation lay upon the Appellant to prove that there was such liability, and she has not satisfied it.

Their Lordships will therefore humbly advise His Majesty that the Appeal should be dismissed, and the Appellant will pay the costs.

In the Privy Council.

MUSAMMAT BHAWANI KUNWAR

2.

KUNWAR HIMMAT BAHADUR AND
ANOTHER.

LONDON :

PRINTED BY EYRE AND SPOTTISWOODE, LTD.
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

1911.