

Privy Council Appeal No. 110 of 1920.
Patna Appeal No. 107 of 1918.

Nanku Prasad Singh - - - - - *Appellant*

v.

Kamta Prasad Singh and others - - - - - *Respondents*

FROM

THE HIGH COURT OF JUDICATURE AT PATNA.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 19TH JANUARY, 1922.

Present at the Hearing :

LORD ATKINSON.
LORD PHILLIMORE.
SIR JOHN EDGE.
MR. AMEER ALI.

[*Delivered by* LORD ATKINSON.]

Their Lordships have considered this case, and they think it is clear that no personal liability was incurred by the purchasers of the equity of redemption, who, their Lordships understand, are defendants Nos. 2 to 11 of whom only five are respondents here. Their Lordships therefore think that the decree of the High Court was right and that the point made by the appellant fails.

The decree of the High Court, which is in general terms will, however, be amended so as to make its intention clear. So much of the decree of the Court of the Subordinate Judge as relates to the sale will stand, but it will be modified to the extent of declaring that the purchasers of the equity of redemption are under no personal liability to the plaintiffs.

As to the costs, their Lordships think that the decree in the Subordinate Judge's Court should be modified and that the defendants Nos. 2 to 11 and the plaintiffs should bear their own costs in that Court. The appellant must pay the costs of this appeal.

Their Lordships will humbly advise His Majesty accordingly

In the Privy Council.

NANKU PRASAD SINGH

v.

KAMTA PRASAD SINGH AND OTHERS.

DELIVERED BY LORD ATKINSON.

Printed by
Harrison & Sons, Ltd., St. Martin's Lane, W.C.
1922.