

Privy Council Appeal No. 42 of 1943

Allahabad Appeal No. 29 of 1941

L. Radhey Lal (deceased) - - - - - *Appellant*

v.

L. Niranjan Nath - - - - - *Respondent*

FROM

THE HIGH COURT OF JUDICATURE AT ALLAHABAD

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE
OF THE PRIVY COUNCIL, DELIVERED THE 11th JULY, 1945

Present at the Hearing:

LORD THANKERTON

LORD GODDARD

SIR JOHN BEAUMONT

[*Delivered by* LORD THANKERTON]

Their Lordships are of opinion that this appeal should be dismissed, and they will so advise His Majesty.

Their Lordships decline to proceed with this appeal against an Order of the High Court made in October, 1940, on account of the inordinate delay, the withdrawal by the appellant of the insolvency proceedings and the disappearance of the proceedings by the respondent under Section 500 of the Penal Code.

There is no necessity for any order for costs

In the Privy Council

L. RADHEY LAL (deceased)

v.

L. NIRANJAN NATH

DELIVERED BY LORD THANKERTON