

Judgment of the Lords of the Judicial Committee of the Privy Council on the consolidated Appeals of Muhammad Ismail Khan and others v. (1) Lala Sheomukh Rai, since deceased; and (2) Musammat Intiaz-un-nisa, from the High Court of Judicature for the North-Western Provinces, Allahabad (P.C. Appeals Nos. 6 and 7 of 1910; Allahabad Appeals Nos. 6 and 7 of 1908); delivered the 8th November 1912.

PRESENT AT THE HEARING :

LORD MACNAGHTEN.

LORD MOULTON.

SIR JOHN EDGE.

MR. AMEER ALI.

[DELIVERED BY LORD MACNAGHTEN.]

Their Lordships have considered this case, and they think that the Suits should be remanded to the High Court to enable the parties to file evidence with respect to Issue No. 3 as to the family custom. Their Lordships will therefore humbly advise His Majesty that the Decrees appealed from should be set aside. The costs in the Courts below which have been and will be incurred should abide the result of the remand. The Respondents will pay the costs of these Appeals.

In the Privy Council.

MUHAMMAD ISMAIL KHAN
AND OTHERS

2.

- (1) LALA SHEOMUKH RAI (SINCE
DECEASED); AND
(2) MUSAMMAT IMTIAZ-UN-NISA.
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DELIVERED BY LORD MACNAGHTEN.

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