

Privy Council Appeal No. 23 of 1913.

Srimutty Ranimoni Dasi and another - - *Appellants,*

v.

**Radhaprasad Mullick, since deceased, and
others** - - - - - *Respondent.*

FROM

**THE HIGH COURT OF JUDICATURE AT FORT WILLIAM
IN BENGAL.**

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL, DELIVERED THE 30TH MARCH 1914.

Present at the Hearing :

LORD MOULTON.

SIR JOHN EDGE.

LORD PARKER OF WADDINGTON.

MR. AMEER ALI.

[Delivered by LORD MOULTON.]

Their Lordships have had an opportunity of considering the judgment of the Court below on the question as to whether on the death of the younger daughter leaving male issue the estate passed over for life to the elder daughter, and they are of opinion that it is correct, and is based on correct reasons. They will therefore humbly advise His Majesty to dismiss this appeal.

With regard to the contention of the appellants that the Court was wrong in holding that no grandchildren of the testator born, or adopted, after the death of the Testator on 30th October 1875 could take under his will, their Lordships will not advise His Majesty to make any order except that the present advice is not to prejudice the position of the second appellant if and when such question comes before a Court for decision.

The costs of all parties as between solicitor and client will come out of the estate.

In the Privy Council.

SRIMUTTY RANIMONI DASI AND
ANOTHER

v.

RADHAPRASAD MULLICK (SINCE
DECEASED) AND OTHERS.

DELIVERED BY LORD MOLLTON.

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