

Privy Council Appeal No. 114 of 1915.

Bengal Appeal No. 53 of 1913.

Abu Mozaffer Khan - - - - - *Appellant,*

v.

Abu Fazal Khan - - - - - *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 22ND JUNE, 1917.

Present at the Hearing :

LORD DUNEDIN.

LORD SHAW.

LORD SUMNER.

SIR JOHN EDGE.

MR. AMEER ALI.

[*Delivered by* LORD DUNEDIN.]

This is a mere question of fact. The learned Judges of the High Court thought that this election had not been conducted in such a satisfactory manner as to make it a true election at all. There would have to be very stringent evidence to make this Board, sitting at this distance, and not knowing the conditions, in the way in which the Judges on the spot know them, come to an opposite conclusion.

Their Lordships will humbly advise His Majesty that this appeal should be dismissed.

In the Privy Council.

ABU MOZAFFER KHAN

2.

ABU FAZAL KHAN

DELIVERED BY LORD DUNEDIN.