

*Privy Council Appeal No. 82 of 1920.*

*Allahabad Appeal No. 5 of 1918.*

Ram Narain, since deceased (now represented by Khushi Ram and  
another), and others - - - - - *Appellants*

*v.*

Harnam Das *alias* Har Narayan and others - - - *Respondents*

FROM

THE HIGH COURT OF JUDICATURE AT ALLAHABAD.

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JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE  
PRIVY COUNCIL, DELIVERED THE 7TH FEBRUARY, 1922.

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*Present at the Hearing :*

VISCOUNT CAVE.  
LORD SHAW.  
SIR JOHN EDGE.  
MR. AMEER ALI.

[*Delivered by* VISCOUNT CAVE.]

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The question raised by this appeal is whether a business and certain assets connected with it were the joint property of a Hindoo family or were the separate and self-acquired property of the appellant Ram Narain, a member of the family. It is a question of fact upon which the Subordinate Judge arrived at one opinion, namely that the property was separate ; but the High Court came to the opposite conclusion, holding that it was the joint property of the family. The evidence is conflicting and the most important parts of it have been brought to their Lordships' notice by Counsel for the appellants. It is not necessary to deal with it in detail ; it is sufficient to say that having considered the evidence and the judgments their Lordships are unable to differ from the conclusion of the High Court that the weight of the oral and documentary evidence is on the side of the respondents.

Their Lordships will, therefore, humbly advise His Majesty that this appeal fails, and should be dismissed with costs.

In the Privy Council.

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RAM NARAIN, SINCE DECEASED (NOW REPRESENTED BY KHUSHI RAM AND ANOTHER),  
AND OTHERS

v.

HARNAM DAS *alias* HAR NARAYAN AND  
OTHERS.

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DELIVERED BY VISCOUNT CAVE.

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