

Privy Council Appeal No. 41 of 1924.

Patna Appeal Nos. 60 and 61 of 1921.

Kumar Kalikanand Singh and others - - - - *Appellants*

v.

Raghunandan Prasad Singh and others - - - - *Respondents*

Same - - - - *Appellants*

v.

Same - - - - *Respondents*

(Consolidated Appeals)

FROM

THE HIGH COURT OF JUDICATURE AT PATNA.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 29TH OCTOBER, 1925.

Present at the Hearing :

LORD SHAW.

LORD PHILLIMORE.

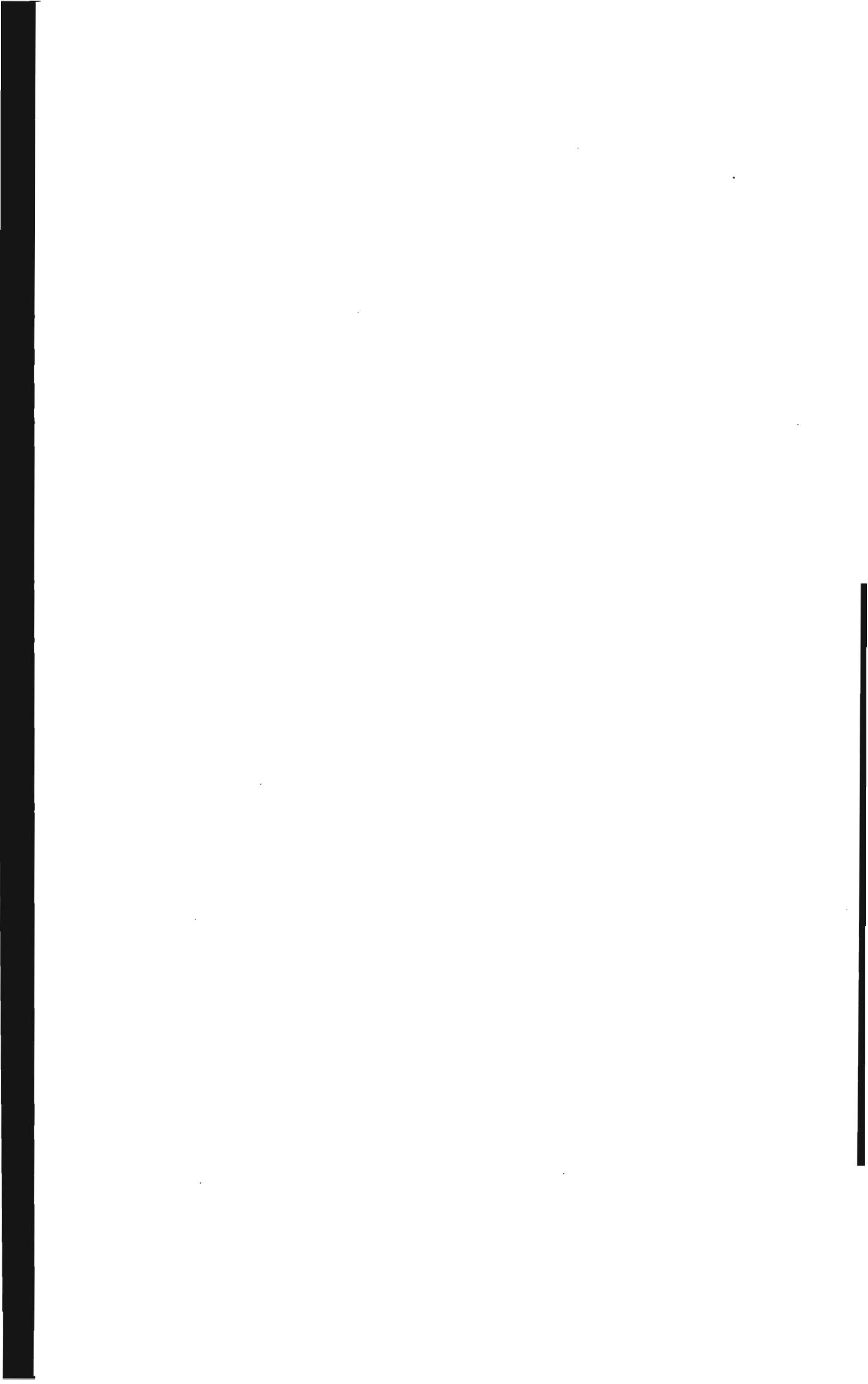
SIR JOHN EDGE.

[Delivered by LORD SHAW.]

The question in this case involves interests which are large in pecuniary amount but the question itself is simplicity. It is this, and no other, namely, whether a certain transaction now assailed, entered into by the manager of a joint Hindu family, was or was not for the benefit of the estate of that family. On that issue both Courts have found very clearly that it was, not only what a prudent owner would have done, but that it was for the benefit of the family, and, indeed, they go so far as to show that that benefit was very large. In those circumstances their Lordships would not interfere with the concurrent judgments to that effect.

That is the first point, and substantially the only point, in the appeal. The other has reference to the enumeration of certain mauzas and ancillary mauzas in a certain schedule attached to the mortgage. Their Lordships see no ground for interfering with the judgment of both Courts in that particular.

They will accordingly humbly advise His Majesty that this appeal should be dismissed with costs.



In the Privy Council.

KUMAR KALIKANAND SINGH AND OTHERS

v.

RAGHUNANDAN PRASAD SINGH AND OTHERS.

SAME

v.

SAME.

(Consolidated Appeals.)

DELIVERED BY LORD SHAW.