

Privy Council Appeal No. 2 of 1934.

S.P.K.A.A.M. Chettyar Firm - - - - - *Appellants*
v.
Bhagwandas Bagla, Rai Bahadur - - - - - *Respondent*
Same - - - - - *Appellants*
v.
Same - - - - - *Respondent*
Same - - - - - *Appellants*
v.
Same and others - - - - - *Respondents*

(Consolidated Appeals.)

FROM

THE HIGH COURT OF JUDICATURE AT RANGOON.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 6TH NOVEMBER, 1934.

Present at the Hearing :

LORD BLANESBURGH.

LORD WRIGHT.

SIR JOHN WALLIS.

[Delivered by LORD BLANESBURGH.]

Their Lordships do not find it necessary to call upon the respondents in this case.

They agree with the statement made by the learned Chief Justice that there is full justification for saying that Chokalingam was acting within the authority conferred on him by the power of attorney of 6th September, 1926 when on behalf of the appellants

he executed the lease in question. The circumstances in which that lease was called for are set forth with great clearness by the learned Chief Justice in his judgment, and it seems to their Lordships that when the powers conferred by the power of attorney in terms of unrestricted generality are read in the light of those circumstances there can be no doubt that upon the terms of that instrument ample power was conferred upon the attorney to execute the lease in question.

There can be no doubt that the contention that the acceptance of this lease was beyond the attorney's powers was the least unpromising contention open to the appellants in support of their appeal. It has failed, and accordingly their Lordships will humbly advise His Majesty that the appeal be dismissed and with costs.

1870

1870

1870

1870

1870

1870

1870

1870

1870

1870

In the Privy Council.

S. P. K. A. A. M. CHETTYAR FIRM

v.

BHAGWANDAS BAGLA, RAI BAHADUR.

SAME

v.

SAME.

SAME

v.

SAME AND OTHERS.

(*Consolidated Appeals.*)

DELIVERED BY LORD BLANESBURGH.