

(1921) 06 PRI CK 0007

In the Privy Council

Case No : Privy Council Appeal No. 143 of 1919

Gordhandas Kessowji

APPELLANT

Vs

Champsey Dossa and others

RESPONDENT

Date of Decision : 17-06-1921

Acts Referred:

Citation : (1921) AIR(PC) 137

Hon'ble Judges : Ameer Ali, Shaw, Viscount Cave, JJ.

Advocate : T.L. Wilson and Co., G.C. Fan, E.B. Raikes, Up. John, Kenworthy Brown, L. de Gvuyther, for the Appearing Parties.

Judgement

A licensee of salt manufacture entered into partnership with certain other persons sharing in the profits thereof. The other partners used to perform certain duties in connection with the production and sale of the salt, though the manufacture was done by the licensee himself. Disputes having arisen, one of the partners sued for injunction against other partners restraining them from excluding plaintiff from a share in the partnership or in the alternative for dissolution. The important question involved was whether entering into partnership by the licensee had the effect of contravening the provisions of Bombay Salt Act (II of 1890), Section 11. The Court held that it did not so contravene and allowed the suit to proceed, from the result whereof the present appeal has been filed

Viscount Cave:-

This case has been fully argued, but no reason has been adduced which induces their Lordships to doubt the correctness of the judgment appealed from.

With regard to the cases cited, it is sufficient to say that they arose under quite different Acts, and have no application to the present case.

Their Lordships will therefore humbly advise His Majesty that the appeal be dismissed with costs.