

(1886) 11 PRI CK 0001

In the Privy Council

Jaipal Kumari

APPELLANT

Vs

Inder Kumari

RESPONDENT

Date of Decision : 13-11-1886

Acts Referred:

Citation : (1887) 14 ILRPC 290

Hon'ble Judges : Hobhouse, B. Peacock, R. Couch, JJ.

Judgement

Hobhouse, J. 1. Their Lordships are of opinion that the interlocutory orders which the petition complains of are such that their Lordships ought to advise Her Majesty to grant leave to appeal from them. It is not competent to their Lordships to make any order as to the stay of execution, but they think it right to say that to them it appears to be the reasonable course that the plaintiff should not, pending the appeal, be put into possession of the large sums in dispute; and probably it is reasonable that she should not receive more than the annuity of Rs. 25,000, which was decreed to her by the first Court; and with that intimation of advice they leave the appellant at liberty to apply to the proper Court ; in India for the due security of all money paid into the Treasury in obedience to the decree of the Judicial Commissioner. 2. Special leave granted : stay of execution refused. Intimation to Court below.