

(1888) 02 PRI CK 0001

In the Privy Council

Madho Singh

APPELLANT

Vs

Ajudhiya Singh and others

RESPONDENT

Date of Decision : 07-02-1888

Acts Referred:

Citation : (1888) 15 ILRPC 515

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

Judgement

1. Their Lordships' judgment, after counsel for the appellants had been heard, was delivered by Sir B. Peacock. 2. Their Lordships are of opinion that the three Courts below, who were unanimous in their judgments, are correct in the opinions which they have formed. It is clear that under the decree, by way of compromise, the parties had not a right to cancel the lease under the terms of the Rent Act. 3. With regard to the agreement, their Lordships are of opinion that the Courts below were right in holding that the plaintiff could not seek to enforce that agreement by suing in the Rent Court. His only remedy would have been to have sued in the Civil Court upon that agreement. 4. Under these circumstances their Lordships will humbly advise Her Majesty to affirm the decree of the Judicial Commissioner.