

PRIVY COUNCIL

Mt. Hiran Bibi and others

Vs.

Mt. Sohan Bibi

(Lords Moulton CJ and Parker of Waddington, Sir John Edge and Mr. Ameer Ali. JJ)

24.4.1914

JUDGMENT

Lord Moulton CJ.

1. In this case their Lordships are of opinion that the facts bring it within the decision of *Lala Kunni Lal v. Kunwar Gobind Krishna Narain* in other words, that the compromise in question is in no sense of the word an alienation by a limited owner of the family property, but a family settlement in which each party takes a share of the family property by virtue of the independent title which is, to that extent, and by way of compromise, admitted by the other parties.

2. Their Lordships will accordingly humbly advise His Majesty that this appeal should be allowed, that the decree of the High Court should be set aside, that the decree of the District Judge should be restored, and that the appellants should have their costs of this appeal and the costs of the suit in both Courts.

Appeal allowed.

Cases Referred

1. [1911] 33 All. 356 : 10 I.C.477: 38 I.A.87(P.C.)