

*Privy Council Appeal No. 34 of 1916.*  
*Allahabad Appeal No. 3 of 1914.*

**Swami Prasad and Another** - - - - *Appellants,*

*v.*

**Bhagwan Das and Others** - - - - *Respondents,*

FROM

**THE HIGH COURT OF JUDICATURE FOR THE NORTH-WEST  
PROVINCES, ALLAHABAD.**

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JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF  
THE PRIVY COUNCIL, DELIVERED THE 22ND OCTOBER, 1917.

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*Present at the Hearing :*

LORD PARKER OF WADDINGTON.

LORD WRENBURY.

SIR JOHN EDGE.

SIR LAWRENCE JENKINS.

*[Delivered by LORD PARKER OF WADDINGTON.]*

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In this case their Lordships see no reason for varying the order of the High Court, except in one respect. They think that the appellants are entitled to have the operation of the declarations made by the order appealed from confined so as to take effect as between the plaintiff and the defendants Nos. 8 to 11 on the one hand, and the remaining defendants on the other. This will leave any rights of such other defendants *inter se* untouched.

With regard to the question of costs, their Lordships think that the appeal has failed with regard to the more substantial points, and that the proper order will be that there shall be no costs.

Their Lordships will humbly advise His Majesty accordingly.

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In the Privy Council.

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SWAMI PRASAD AND ANOTHER

v.

BHAGWAN DAS AND OTHERS.

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DELIVERED BY

LORD PARKER OF WADDINGTON.

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