

Privy Council Appeal No. 52 of 1928.

Bengal Appeal No. 31 of 1926.

Raja Satya Niranjan Chakravarty and others - - - *Appellants*

v.

Srimati Sarajubala Debi and another - - - *Respondents*

FROM

THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 21ST MARCH, 1929.

Present at the Hearing :

LORD SHAW.

LORD DARLING.

LORD ATKIN.

[*Delivered by* LORD SHAW.]

In this appeal everything that could be said has been cogently argued by Mr. Farwell. He has confined himself with logical accuracy to the proposition set forth in the judgment of the High Court, realising, as the learned Judges expressed it, that "this is not a suit for ejection on the ground of forfeiture, but the real question in the case is whether the defendants" whom he here represents "can exonerate themselves from the liability on their personal covenant under the lease to pay the rent by reason of this transfer" of the property. Thereupon there arises the third issue, the one which has been determined by the judgment of the High Court. Upon that point their Lordships are not desirous of entering into the subject at large, because, in their view, nothing has been urged which weakens the force of that judgment or inclines their Lordships to sustain this appeal.

Their Lordships will accordingly humbly advise His Majesty that this appeal should be dismissed with costs. An application for the filing of a supplemental record made by the appellants will also be formally dismissed with costs.

In the Privy Council.

RAJA SATYA NIRANJAN CHAKRAVARTY
AND OTHERS

v.

SRIMATI SARAJUBALA DEBI AND ANOTHER.

DELIVERED BY LORD SHAW.

Printed by
Harrison & Sons, Ltd., St. Martin's Lane, W.C.2.
1929.

Privy Council Appeal No. 52 of 1928.

Bengal Appeal No. 31 of 1926.

Raja Satya Niranjan Chakravarty and others - - - *Appellants*

v.

Srimati Sarajubala Debi and another - - - *Respondents*

FROM

THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF THE
PRIVY COUNCIL, DELIVERED THE 21ST MARCH, 1929.

Present at the Hearing :

LORD SHAW.

LORD DARLING.

LORD ATKIN.

[*Delivered by* LORD SHAW.]

In this appeal everything that could be said has been cogently argued by Mr. Farwell. He has confined himself with logical accuracy to the proposition set forth in the judgment of the High Court, realising, as the learned Judges expressed it, that "this is not a suit for ejection on the ground of forfeiture, but the real question in the case is whether the defendants" whom he here represents "can exonerate themselves from the liability on their personal covenant under the lease to pay the rent by reason of this transfer" of the property. Thereupon there arises the third issue, the one which has been determined by the judgment of the High Court. Upon that point their Lordships are not desirous of entering into the subject at large, because, in their view, nothing has been urged which weakens the force of that judgment or inclines their Lordships to sustain this appeal.

Their Lordships will accordingly humbly advise His Majesty that this appeal should be dismissed with costs. An application for the filing of a supplemental record made by the appellants will also be formally dismissed with costs.

In the Privy Council.

RAJA SATYA NIRANJAN CHAKRAVARTY
AND OTHERS

vs.

SRIMATI SARAJUBALA DEBI AND ANOTHER.

DELIVERED BY LORD SHAW.

Printed by
Harrison & Sons, Ltd., St. Martin's Lane, W.C.2.
1929.