

Privy Council Appeal No. 99 of 1945

Santhapuram Venkiah and another - - - - *Appellants*

v.

Santhapuram Umakripa Dutt *alias*

Umapathi and others - - - - *Respondents*

FROM

THE COURT OF THE HONOURABLE THE RESIDENT
AT HYDERABAD DECCAN

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE OF
THE PRIVY COUNCIL, DELIVERED THE 4TH DECEMBER, 1947

Present at the Hearing:

LORD UTHWATT

LORD OAKSEY

SIR JOHN BEAUMONT

[*Delivered by* LORD UTHWATT]

In this case both the courts in India have held that the compromise, the validity of which is in issue, was vitiated by the fraud of the appellant. Before their Lordships, the appellant sought to establish that there was no evidence to support the finding of fraud. Their Lordships find it unnecessary to express any opinion on this point, for, taking into review only the facts as to which there is no dispute and disregarding the inference of fraud, it is abundantly clear that the compromise cannot stand.

Their Lordships will humbly advise His Majesty that this appeal be dismissed.

In the Privy Council

SANTHAPURAM VENKIAH
AND ANOTHER

2.

SANTHAPURAM UMAKRIPA DUTT
alias UMAPATHI AND OTHERS

DELIVERED BY LORD UTHWATT

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