

*Judgment of the Lords of the Judicial Committee
of the Privy Council on the Appeal of
Sachindra Nath Roy and others v. The
Secretary of State for India in Council, from
the High Court of Judicature at Fort William
in Bengal, delivered the 29th October 1912.*

PRESENT AT THE HEARING :

LORD MACNAGHTEN.

LORD MOULTON.

SIR JOHN EDGE.

MR. AMEER ALI.

[DELIVERED BY LORD MACNAGHTEN.]

This case has been very fully and very ably argued by Mr. De Gruyther. Speaking without having heard the other side, it is impossible to say that much of his criticism was not well founded. But this Board is not sitting as a Court of first instance. The Board is not satisfied that the two judgments, which are in effect concurrent, are erroneous. It is purely a question of fact. Both Courts have come to a certain conclusion, and their Lordships do not think that they can interfere.

Their Lordships will therefore humbly advise His Majesty that the Appeal ought to be dismissed, and the Appellants will pay the costs.

In the Privy Council.

SACHINDRA NATH ROY AND OTHERS

v.

THE SECRETARY OF STATE FOR
INDIA IN COUNCIL.

DELIVERED BY LORD MACNAGHTEN.

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