

**Mukhal Singh Vs. Kishuni Singh**

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**SooperKanoon Citation :** [sooperkanoon.com/342634](http://sooperkanoon.com/342634)

**Court :** Mumbai

**Decided On :** Jun-24-1930

**Reported in :** (1930)32BOMLR1576

**Judge :** Viscount Dunedin,; John Wallis,; Lancelot Sanderson,; George Lowndes and ;Binod Mitter, JJ.

**Appellant :** Mukhal Singh

**Respondent :** Kishuni Singh

**Disposition :** Appeal dismissed

**Judgement :**

**Viscount Dunedin, J.**

1. In this case the question has been raised as to whether the appeal is competent. Special leave to appeal was granted on an ex parts application ; but it has been settled in a judgment of this Board that that does not preclude the Board, when the true facts are brought before it, from going into the question of whether the appeal is competent or not: *Zahib Husain v. Mohammad Ishmael* No. (2 . Upon that question the present case seems to be entirely covered by another decision of the Board in *Gudivada Mangamma v. Maddi Makalakshamma* Under these circumstances their Lordships will humbly advice His Majesty that the appeal is incompetent and should be dismissed with costs.

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