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Ruka Bai Vs. Ganda Bai

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SooperKanoon Citation : sooperkanoon.com/449350

Court : Allahabad

Decided On : Dec-31-1969

Reported in : (1875)ILR1All594

Judge : Robert Stuart, C.J. and ;Pearson, J.

Appellant : Ruka Bai

Respondent : Ganda Bai

Judgement :

Pearson, J.

1. The appeal must prevail. The diminution of the income of the estate on which the defendant's income is chargeable, since her allowance was fixed, is obviously a sufficient cause for the present action of which the object is the reduction of the allowance formerly fixed. It would be unreasonable to hold that, even if the income of the estate should come to an end altogether, that allowance should still continue; and therefore it must be liable to be reduced in proportion to the existing income. We set aside the lower Appellate Court's decree and remand the case to it for fresh disposal on the merits, with a direction that the costs of this appeal shall follow the result.

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