

Canada (Supreme Court) Ltd.

City of Montreal	Montreal Loco. Wks. & Ann.	251 (Granting l. to appeal)
Leona Payne	Gray board-line Ltd. & Ann.	269 (Refusing l. to appeal in the)
H.J. Braun	The Custodian	275 (-do- l. to appeal)
Harmes & Ann.	Hinkson	275, 276, 277, 289.
Brit. Columbia Elec. Co. Ltd.	The King	276 (Granting l. to appeal)
Co-op. Bttee on Japanese Canadians & Ann.	The Att. Gen. of Canada & Ann.	284 (-do- -do-)
Att. Gen. of Ontario & Ann.	Att. Gen. of Canada & others	289 (Granting l. to Intervene)
- do -	- do -	299 (Granting Motion for reversal of decision of Appeal)
Minister of Nat. Revenue	Wright's Canadian Rps. Ltd.	302 (Granting l. to appeal)
City of Montreal	Montreal Loco. Wks. & Ann.	312, 314, 315, 344.
Brit. Columbia Elec. Co. Ltd.	The King on the information of the A.G. of Canada	316, 317, 318, 319, 337.
Co-op. Bttee on Japanese Canadians & Ann.	The A.G. of Canada & Ann.	323, 324, 325, 327, 359.
H.M. The King	Dom. Imp. Co. Ltd.	327, 329, 338.
Bank of Montreal	Can. Nat. (W.I.) SS. Ltd.	331, 344.
Jachuk & Ann.	The Oliver Blais Co. Ltd.	336 (Granting l. to appeal & costs - appeal)
A.G. Ontario & Ann.	Att. Canada & Ann.	339 (With reversal of Appeal)
- do -	- do -	344, 347, 348, 349, 371.
Min. of Nat. Revenue	Wright's Canadian Rps. Ltd.	349, 351, 362.
Hudditt & Ann.	King's Gate Airways Ltd.	351, 352, 381.
Quinlan	Robertson & Ann.	360 (Granting Motion for reversal of Appeal)
Caron & Ann.	See A. State for Canada	368 (Granting l. to Appeal)
Fiberglas Canada Ltd. & Ann.	Spun Rock Wool Ltd. & Ann.	371, 373, 374, 376, 387.
Greenell	A.G. for Canada	371 (Granting with reversal of Appeal)
Lessard	Hull Elec. Co.	374 (Refusing l. to appeal in the)
Quinlan	Robertson & Ann.	399, 400, 401, 402, 403, 404, 405.
La Compagnie du Pont	The A.G. for the Province of Quebec & Ann.	407, 417 (Refusing l. to appeal)

Documents in Original — note by Lord Atkin — 92

Downing Street Return of Judicial Bttee from the House of Lords 300.

Duff Sir Dyman sat at the Board 310.

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Palestine (contd)

Jamal Ayoub El Yousif	The King	191 (Refusing leave to appeal)
Klein + others	Herman + ors.	225 (Granting - do)
Karen Kayemett Leisrael	Anat Agui. Bk + ors.	237.
Fuchsitz	Valero	244 (Granting l. to appeal)
Dajani + anor.	Khalidi and anor.	197 (Granting Order of Return)
Issa Abed Khayat	Milad Abed Khayat	216 (- do - leave to appeal)
Menashe Rokallishvili	Moshe Ami-Hai + anor.	250 (Refusing l. to appeal in l. to)
Abdul Rahman Ahmad	Hazan Muhamad al-Eisawi	250 (Refusing leave to appeal)
Abrahim al-Husni + ors.		
Zubeida Aziz Talib	Keren Kayemett Leisrael	257 (Granting - do)
Sulim + ors.	do. l. to	
Nives + anor.	Rosenstrauch	266 (- do - l. to defend in l. to)
Bracha Ben-Ya'acov	J. Fox	268 (Granting l. to appeal)
Beninson + ors.	Shiber	272, 273, 297
Dajani + ors.		
Zabrosky	Mustafa El Khaldi (same as id) + anor.	273, 274, 290.
Fatma Paul Bouvrea	G.O.C. Palestine + anor.	282 (Granting l. to appeal)
+ anor.	W. Shapiro	333 (- do - l. to appeal)
Eqed Co-op. Society Ltd.	Levi Geffen	334, 338.
Bracha Ben-Ya'acov	Joseph Fox	337 (Granting stay of execution)
Reuven Lev	Joseph Fox	337 (Granting l. to appeal & stay of execution)
Stamatios Skaroulis	A.G. of Palestine	340 (Refusing l. to appeal)
Meloshua Hankin	Zaki Rashid Ech Shantet ors.	344 (Granting Order of Return)
Basil Bin Youssef Abu Yaqbi	A.G. of Palestine	357 (Refusing l. to appeal)
Zabrosky	G.O.C. + anor.	359, 360, 362, 387.
Schmukler + anor.	Rutman	371 (Granting writ of Habeas Corpus)
Palestine Kupat Am Bank	G.O.C. of Palestine	382 (Granting l. to appeal)
Co-op. Soc. Ltd.		
Muhammad Issa El Sheikh Ahmad + anor.	Ali + ors.	383, 384.
A.G. of Palestine	Talbot Anwar	384, 399, 400.
Frank Gounes	Comm. or Subt. Prisoner	390 (Refusing l. to appeal)
		397 (- do -)
		397 (Refusing l. to appeal)
Fatima Ahmad Al 'Afifi + ors.	The Govt. of Palestine + ors.	404 (Granting l. to appeal)

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Lord Thankerton
 Lord du Paroq
 Sir John Beaumont

Lord Thankerton paid tribute to the late Right Honourable Sir George Rankin and Mr. Hector Hughes, K.C., on behalf of the Bar, associated himself with the tribute as follows:-

LORD THANKERTON: Since the last meeting of the Board we have learned with deep regret and sorrow of the passing of one of the most valuable of its members. Sir George Rankin became a member of the Judicial Committee in April, 1935, but the Judicial Committee was already well advised of his outstanding judicial qualities. His thorough knowledge of the jurisprudence which he was called on to administer in Bengal betokened much painstaking research, and his lucid and masterly exposition of the relevant law in his judgments had already proved of the greatest assistance to the members of this Board in dealing with appeals from India.

After Sir George joined the Board we were able from personal contact to appreciate even better his high qualities. We also learned more fully the unaffected modesty and natural courtesy of a great mind, alike to his colleagues and to counsel. No one could have been more helpful or better equipped to give that help in the cases coming to us from India. We had hoped, although ill-health had caused his resignation, that he might be restored to health and be able to give us his assistance occasionally, but that was not to be.

We have to mourn the loss of an invaluable colleague and of a friend who has endeared himself to all of us.

ME. HECTOR HUGHES: May it please your Lordships. As senior member of the Bar present, there falls to me the sad duty of saying a few words about this great Judge and great man. On behalf of the Bar I desire to associate myself with the words which have fallen from your Lordship's lips. There is little left for me to add to what has been so well said by your Lordship.

I never practised in India and I never had the honour of appearing before Sir George Rankin there, but I think I am right in saying that his fame transcends territorial boundaries. It is well known that his knowledge of Indian law was not only exceptional but, I may say, constant and profound.

Perhaps he will long and best be remembered for his kindness as a man, his independence of thought and character, and his consideration to the members of the Bar who had the honour of appearing before him. These all indicated that he was an attentive listener, a kind man and, I hope I may say without presumption, profound in judgment. His loss will be felt in India and in Great Britain; indeed, all over this great Commonwealth of Nations. The Bench and the Bar will be the poorer for his passing.

JUDGMENTS

Shorunke
 The King v. } West African
 Court of
 Appeal

The Report of Their Lordships who heard this Appeal, prepared by Lord Porter, was delivered by Lord du Paroq.

JUDGMENTS (Continued)

V.S. Subbiah Nadar, Administrator of Estate
 of T.P. Sokkai Ram Sait
 v.
 E.P. Kumaravel Nadar (deceased) and others } Ceylon

The Report of Their Lordships who heard this Appeal, prepared by Lord Porter, was delivered by Sir John Beaumont.

Kuar Shyam Pratap Singh
 v.
 The Collector of Etawah, representing Rani
 Rathorni Narain Kumwar, and others
 and connected appeal (consolidated) } Allahabad

The Report of Their Lordships who heard this Appeal, prepared by Lord Porter, was delivered by Sir John Beaumont.

PETITIONS
 For special leave to appeal

1. Vishwanath Vishnu Dabholkar
 v.
 The King } East African
 Court of
 Appeal

S.P. Khambatta for the Petitioner.

F. Gahan for the Respondent.

Their Lordships heard Mr. Khambatta who was stopped and Mr. Gahan and, without calling for a Reply, agreed humbly to advise His Majesty that the Petition ought to be granted.

2. Zabrovsky
 v.
 G.O.C. Palestine and another } Palestine

P. Devlin, K.C. and I.H. Jacob for the Petitioner.

F. Gahan for the Respondent.

Their Lordships heard Mr. Devlin and Mr. Gahan and agreed humbly to advise His Majesty that the Petition ought to be granted.

3. Arz Muhammad Haji
 v.
 The King-Emperor } Sind

S. Hyam for the Petitioner.

Ex Parte.

Their Lordships heard Mr. Hyam and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

4. Bhara
 v.
 The King-Emperor } Lahore

P.V. Subba Row for the Petitioner.

Ex Parte.

5. Mookaswami alias Veeranan Thevar
 v.
 The King-Emperor } Madras

P.V. Subba Row for the Petitioner.

Ex Parte.

Their Lordships heard Mr. Subba Row in petitions 4 and 5 and agreed humbly to advise His Majesty that they ought to be dismissed.

For special leave to appeal

3. Ujagar Singh v. The King-Emperor } Lahore

Dingle Foot for the Petitioner.

J.M.R. Jayakar for the Respondent.

Their Lordships heard Mr. Foot and, without calling upon Mr. Jayakar, agreed humbly to advise His Majesty that the Petition ought to be dismissed.

4. Allah Din and others v. The King-Emperor } Lahore

A.G.P. Pullan for the Petitioners.

Ex parte.

Their Lordships heard Mr. Pullan for the Petitioner and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

5. Curmukh Singh v. The King-Emperor } Lahore

T.B.W. Ramsay for the Petitioner.

Ex parte.

Their Lordships heard Mr. Ramsay for the petitioner and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

6. Murari Lal Chharia v. The King-Emperor } Bengal

D.N. Pritt, K.C., and C. Bagram for the Petitioner.

Ex parte.

Their Lordships heard Mr. Pritt, and agreed humbly to advise His Majesty that special leave ought to be granted.

7. Paiz Bakhsh alias Paizu and others v. The King-Emperor } Lahore

A.G.P. Pullan for the Petitioners.

P.C. Sen for the Respondent.

Their Lordships heard Mr. Pullan and, without calling on Mr. Sen, agreed humbly to advise His Majesty that the petition ought to be dismissed.

For special leave to appeal in forma pauperis

8. Chhattar Singh Gyani v. The King-Emperor } Patna

Dingle Foot for the petitioner.

C. Bagram for the Respondent.

Their Lordships heard Mr. Foot and Mr. Bagram, and agreed humbly to advise His Majesty that the Petition ought to be dismissed. Council Office fees to be remitted.

For special leave to appeal

9. Caspersz v. The King } Ceylon

L.M. de Silva, K.C. (Ceylon Bar) and R.K. Handoo for the Petitioner.

F. Gahan for the Respondent.

Their Lordships heard Mr. de Silva who was stopped, and heard Mr. Gahan and agreed humbly to advise His Majesty that special leave to appeal ought to be granted.

10. Sinnasamy Selvanayagam v. The King } Ceylon

D.N. Pritt, K.C., R.K. Handoo and C.E.L. Wickremesinghe for the Petitioner.

F. Gahan for the Respondent.

Their Lordships heard Mr. Pritt and Mr. Gahan, and ~~agreed on both sides~~ and agreed humbly to advise His Majesty that special leave to appeal ought to be granted.

Sir John Beaumont here joined the Board.

APPEALS

Zabrovsky v. The General Officer Commanding Palestine and another } Palestine

Their Lordships further heard Mr. Le Quesne and heard Mr. Devlin in Reply, and announced that they would humbly advise His Majesty that the Appeal ought to be dismissed and that they would give their reasons later.

Megh Raj and another v. Allah Rakhia and others } India (Federal Court)

Gerald R. Upjohn, K.C., and Geoffrey H. Crispin for the Appellants.

D.N. Pritt, K.C., and R.K. Handoo for the Punjab Province (Respondent No. 5) who alone of the Respondents had appeared.

Their Lordships heard Mr. Upjohn.

SECOND DIVISION

PRESENT:

Lord Macmillan
Lord du Parcq
Sir John Beaumont

APPEAL

To be mentioned

His Holiness Peria Kovil Kelvi Appan
Thiruvankata Ramanuja Pedda
Jiyyangarlu Valu
v.
Prathivathi Bhayankaram Venkatacharlu and
others } Madras

Their Lordships heard Sir Herbert Cunliffe and Mr. Parikh and after deliberation declared that they were disposed to reserve the question of recitation on the special days and leave it in the same position as that of the sthothrapatan. The necessary adjustments would be made in the Judgment. There would be no order as to the costs of the present hearing.

Monday, 24th February, 1947.

PRESENT:

Lord Thankerton
 Lord Uthwatt
 Lord du Parcq
 Sir John Beaumont

APPEAL
 Thiagaraja Bhagavathar and another }
 v. } Madras
 The King-Emperor }

D.M. Pritt, K.C., and P.V. Subba Row for the Appellants

G.O. Slade, K.C., and D.A. Grant for the Respondent.

Their Lordships heard Mr. Pritt.

J.D.W.

Tuesday, 25th February, 1947.

PRESENT:

Lord Thankerton
 Lord Uthwatt
 Lord du Parcq
 Sir John Beaumont

JUDGMENT
 Fiberglas Canada Ltd. and others }
 v. } Canada
 Spun Rock Wools Ltd. and another } (Supreme
 Court)

The Report of their Lordships who heard this Appeal was given by Lord Thankerton.

REASONS FOR REPORT

Zabrovsky }
 v. } Palestine
 The General Officer Commanding
 Palestine and another }

The Registrar was directed to hand to the parties the Reasons of their Lordships for their Report in this Appeal prepared by Lord Wright.

APPEAL

Thiagaraja Bhagavathar and another }
 v. } Patna
 The King-Emperor }

Their Lordships further heard Mr. Pritt shortly who was stopped, as their Lordships wished to hear Counsel for the Respondent upon the first submission of Counsel for the Appellants. Mr. Slade and Mr. Grant having been heard and Mr. Pritt having applied that the Board might make a recommendation that bail should be granted which was refused reserved their judgment and deliberated thereon.

J.D.W.

Wednesday, 26th February, 1947.

PRESENT:

Lord Thankerton
 Lord Uthwatt
 Lord du Parcq
 Sir John Beaumont

APPEAL
 Srinivas Mall Bairoliya and another }
 v. } Patna
 The King-Emperor }

W.W.K. Page, K.C., U. Sen Gupt and R. Ritson for the Appellants.

B. MacKenna for the Respondent.

Their Lordships heard Mr. Page.

J.D.W.

Thursday, 27th February, 1947.

PRESENT:

Lord Thankerton
 Lord Uthwatt
 Lord du Parcq
 Sir John Beaumont

APPEAL

Srinivas Mall Bairoliya and another }
 v. } Patna
 The King-Emperor }

Their Lordships further heard Mr. Page and heard Mr. Gupta and Mr. MacKenna and Mr. Page in reply.

J.D.W.

Monday, 3rd March, 1947.

PRESENT:

Lord Thankerton
 Lord Uthwatt
 Lord du Parcq
 Sir John Beaumont

APPEALS

Srinivas Mall Bairoliya and another }
 v. } Patna
 The King-Emperor }

Their Lordships further heard Mr. Page, reserved their judgment and deliberated thereon.

Sir Madhavan Nair here took his seat at the Board.

Connell }
 v. } Malta
 The King }

H.C. Leon for the Appellant.

F. Gahan and Antony George Mamo for the Respondent.

Their Lordships heard Mr. Leon.

J.D.W.

Tuesday, 4th March, 1947.

PRESENT:

Lord Thankerton
 Lord Uthwatt
 Lord du Parcq
 Sir Madhavan Nair
 Sir John Beaumont

Connell }
 v. } Malta
 The King }

Their Lordships heard further Mr. Leon and heard Mr. Gahan and Mr. Mamo and Mr. Leon in Reply, reserved their judgment and deliberated thereon.

J.D.W.

PETITIONS (Continued)
For special leave to appeal

6. Zahiruddin v. Bengal
The King-Emperor

J.D. Casswell, K.C., and A.G.P. Pullan for the Petitioner.

Ex Parte.

Their Lordships heard Mr. Casswell and agreed humbly to advise His Majesty that the Petition ought to be granted.

7. Sarwan Singh v. Lahore
The King-Emperor

A.G.P. Pullan for the Petitioner.

Ex Parte.

Their Lordships heard Mr. Pullan and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

8. Kartar Singh and another v. India (Court of the Reviewing Judge)
The King-Emperor

F. Gahan for the Petitioners.

B. MacKenna for the Respondent.

Their Lordships heard Mr. Gahan and, without calling on Mr. MacKenna, agreed humbly to advise His Majesty that the Petition ought to be dismissed.

For special leave to appeal in forma pauperis

9. Ram Dulare Dube and another v. India (Court of the Reviewing Judge)
The King-Emperor

F. Gahan for the Petitioners.

B. MacKenna for the Respondent.

Their Lordships heard Mr. Gahan and, without calling on Mr. MacKenna, agreed humbly to advise His Majesty that the petition ought to be dismissed. Council Office fees to be remitted.

10. Ram Sukh and others v. Oudh
The King-Emperor

S.P. Khambatta for the Petitioners.

Ex Parte.

Their Lordships heard Mr. Khambatta and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

11. Rattan Lal alias Rattan Chand v. Lahore
The King-Emperor

R. Parikh for the Petitioner.

B. Sen for the Respondent.

Their Lordships heard Mr. Parikh and, without calling upon Mr. Sen, agreed humbly to advise His Majesty that the Petition ought to be dismissed.

PETITIONS (Continued)
For special leave to appeal

12. Khalil-Ur-Rahman v. North-West Frontier Province
The King-Emperor

H.J. Umrigar for the Petitioner.

Ex Parte.

Their Lordships heard Mr. Umrigar and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

13. N.S. Venkatagira Ayyangar and another v. Madras
The Hindu Religious Endowments Board, Madras

J.P. Eddy, K.C., and R. Parikh for the Petitioners.

Ex Parte.

Their Lordships heard Mr. Eddy and agreed humbly to advise His Majesty that the Petition ought to be granted on the usual terms.

For special leave to appeal in forma pauperis.

14. Nageshbhat Venkanbhat Kashikar v. Bombay
Ranchandra Tirkambhat Kashikar

Hector Hughes, K.C., and V.K.K. Menon for the Petitioner.

Ex Parte.

Their Lordships heard Mr. Hughes and agreed humbly to advise His Majesty that the Petition ought to be granted.

For stay of proceedings

15. K. Kochunni alias Muppil Nayar v. Madras
K. Kuttanumi alias Elaya Nayar and others

Neville Gray, K.C., and P.V. Subba Row for the Petitioner.

C.S. Rowcastle, K.C., and V.K. Krishna Menon for the Respondents.

Their Lordships heard Mr. Gray and, without calling on Counsel for the Respondent, agreed humbly to advise His Majesty that the Petition ought to be dismissed. Costs to be costs in the Appeal.

Friday, 12th April, 1946.

PRESENT:

Lord Thankerton
Lord Simonds
Lord Uthwatt

PETITION
For special leave to appeal

Co-operative Committee on Japanese Canadians and The Attorney-General of Saskatchewan v. Canada (Supreme Court)
The Attorney-General of Canada and The Attorney-General of British Columbia

Gerald Gardiner for the Petitioners.

F. Gahan for the Attorney-General of Canada.

G.H. Crispin for the Attorney-General of British Columbia

Their Lordships heard Mr. Gardiner, and the Petition being unopposed, agreed humbly to advise His Majesty that special leave to appeal ought to be granted.

J.D.W.

EASTER SITTINGS, 1946

First Day

Tuesday, 30th April, 1946

PRESENT:

Lord Thankerton
Lord Porter
Lord du Parcq
Sir Madhavan Nair
Sir John Beaumont

APEAL

Ramanugrah Singh v. Patna
The King-Emperor

J.D. Casswell, K.C., A.G.P. Pullan and Khaleel Ahmad for the Appellant.

B.J. M. MacKenna for the Respondent.

Their Lordships heard Mr. Casswell and Mr. MacKenna.

J.D.W.

Wednesday, 1st May, 1946

PRESENT:

Lord Thankerton
Lord Porter
Lord du Parcq
Sir Madhavan Nair
Sir John Beaumont

JUDGMENTS

Thakur Jagannath Bakhsh Singh v. India
The United Provinces (Federal Court)

The Report of their Lordships who heard this Appeal, prepared by Lord Wright, was delivered by Lord du Parcq.

Abu Kailash Chandra Jain v. Allahabad
The Secretary of State and two connected appeals (consolidated)

The Report of their Lordships who heard this Appeal, prepared by Lord Justice Morton, was delivered by Lord du Parcq.

APEAL

Ramanugrah Singh v. Patna
The King-Emperor

Their Lordships further heard Mr. MacKenna and, without calling on Mr. Casswell for a Reply, reserved their judgment and deliberated thereon

Lord Porter and Sir John Beaumont withdrew from the Board.

Srinati Bibhabati Devi v. Bengal
Kumar Ramendra Narayan Roy and others

W.W.K. Page and P.C. Ghose (Advocate) for the Appellant.

D.N. Pritt, K.C., U.Sen Gupta, R.K. Handoo and A. Guha for the Respondents.

Their Lordships heard Mr. Page.

J.D.W.



APPEAL

Buttigieg v. Malta
Cross and others
Sir Roland Burrows, K.C., and C.J. Colombos for the Appellant.
P.R. Barry, K.C., and H.L. Parker for the 7th Respondent who alone had entered appearance.

Their Lordships heard Sir Roland Burrows.

J.W.M.

Tuesday, 16th July, 1946.

FIRST DIVISION

PRESENT:
Viscount Simon
Lord Wright
Lord Porter
Lord Uthwatt
Sir Lyman Duff

APPEALS

The Attorney-General of Canada v. The Attorney-General of the Province of Quebec and connected appeal (consolidated) } Quebec

Their Lordships heard Mr. O'Donnell, and reserved their judgment and deliberated thereon.

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

F.A. Brewin (Canadian Bar), C. Shawcross and Geoffrey Wilson for the Appellants.

H.E. O'Donnell, ^{K. Gahan} Frank Gahan and W.R. Jackett (Canadian Bar) for the Attorney-General of Canada.

The Hon. Gordon Wisner, K.C. (Canadian Bar) and Geoffrey H. Crispin for the Attorney-General of British Columbia.

Their Lordships heard Mr. Brewin.

J.D.W.

SECOND DIVISION

PRESENT:
Lord Thankerton
Lord Macmillan
Lord Simonds
Lord du Parcq
Lord Normand

APPEAL

The Auckland Electric Power Board v. The Public Trustee of the Dominion of New Zealand and another } New Zealand

Their Lordships heard Sir Valentine Holmes further.

J.W.M.

Wednesday, 17th July, 1946.

FIRST DIVISION

PRESENT:

Viscount Simon
Lord Wright
Lord Porter
Lord Uthwatt
Sir Lyman Duff

APPEAL

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

Their Lordships further heard Mr. Brewin.

J.D.W.

SECOND DIVISION

PRESENT:

Lord Thankerton
Lord Macmillan
Lord Simonds
Lord du Parcq
Lord Normand

APPEAL

The Auckland Electric Power Board v. The Public Trustee of the Dominion of New Zealand and another } New Zealand

Their Lordships heard Sir Valentine Holmes further, and Mr. Rogerson and Mr. Henderson and, without calling upon Counsel for the Appellant for a Reply, reserved their judgment and deliberated thereon.

J.W.M.

THIRD DIVISION

PRESENT:

Lord Roche
Mr. M.R. Jayakar
Sir Madhavan Nair
Sir John Beaumont

Petitions for withdrawal of appeals in terms of compromise

Hunter, Liquidator Bank of Upper India Ltd. v. Chaudhri Shafiq-Ur-Raman and others } Cudh
and connected appeals (consolidated)

Their Lordships agreed to advise His Majesty to make the Order as prayed.



APPEAL

Buttigieg v. Cross and others } Malta

Sir Roland Burrows, K.C., and C.J. Colombos for the Appellant.

P.R. Barry, K.C., and H.L. Parker for the 7th Respondent who alone had entered appearance.

Their Lordships heard Sir Roland Burrows.

J.W.M.

Tuesday, 16th July, 1946.

FIRST DIVISION

PRESENT: Viscount Simon, Lord Wright, Lord Porter, Lord Uthwatt, Sir Lyman Duff

APPEALS

The Attorney-General of Canada v. The Attorney-General of the Province of Quebec and connected appeal (consolidated) } Quebec

Their Lordships heard Mr. O'Donnell, and reserved their judgment and deliberated thereon.

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

F.A. Brewin (Canadian Bar), C. Shawcross and Geoffrey Wilson for the Appellants.

H.E. O'Donnell, ^{K.C. (Canadian Bar)} Frank Cahlan and W.R. Jackett (Canadian Bar) for the Attorney-General of Canada.

The Hon. Gordon Wismer, K.C. (Canadian Bar) and Geoffrey H. Crispin for the Attorney-General of British Columbia.

Their Lordships heard Mr. Brewin.

J.D.W.

SECOND DIVISION

PRESENT: Lord Thankerton, Lord Macmillan, Lord Simonds, Lord du Parcq, Lord Normand

APPEAL

The Auckland Electric Power Board v. The Public Trustee of the Dominion of New Zealand and another } New Zealand

Their Lordships heard Sir Valentine Holmes further.

J.D.W.

Wednesday, 17th July, 1946.

FIRST DIVISION

PRESENT:

Viscount Simon, Lord Wright, Lord Porter, Lord Uthwatt, Sir Lyman Duff

APPEAL

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

Their Lordships further heard Mr. Brewin.

J.D.W.

SECOND DIVISION

PRESENT:

Lord Thankerton, Lord Macmillan, Lord Simonds, Lord du Parcq, Lord Normand

APPEAL

The Auckland Electric Power Board v. The Public Trustee of the Dominion of New Zealand and another } New Zealand

Their Lordships heard Sir Valentine Holmes further, and Mr. Rogerson and Mr. Henderson and, without calling upon Counsel for the Appellant for a Reply, reserved their judgment and deliberated thereon.

J.D.W.

THIRD DIVISION

PRESENT:

Lord Roche, Mr. M.R. Jayakar, Sir Madhavan Nair, Sir John Beaumont

Petitions for withdrawal of appeals in terms of compromise

Hunter, Liquidator Bank of Upper India Ltd. v. Chaudhri Shafiq-Ur-Zaman and others and connected appeals (consolidated) } Oudh

Their Lordships agreed to advise His Majesty to make the Order as prayed.

APPEAL

Buttigieg v. Malta
Cross and others

Sir Roland Burrows, K.C., and C.J. Colombos for the Appellant.

P.R. Barry, K.C., and H.L. Parker for the 7th Respondent who alone had entered appearance.

Their Lordships heard Sir Roland Burrows.

J.W.M.

Tuesday, 16th July, 1946.

FIRST DIVISION

PRESENT:
Viscount Simon
Lord Wright
Lord Porter
Lord Uthwatt
Sir Lyman Duff

APPEALS

The Attorney-General of Canada v. The Attorney-General of the Province of Quebec and connected appeal (consolidated) } Quebec

Their Lordships heard Mr. O'Donnell, and reserved their judgment and deliberated thereon.

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

F.A. Brewin (Canadian Bar), C. Shawcross and Geoffrey Wilson for the Appellants.

H.E. O'Donnell, ^{K.C. (Canadian Bar)} Frank Gahan and W.R. Jackett (Canadian Bar) for the Attorney-General of Canada.

The Hon. Gordon Wismer, K.C. (Canadian Bar) and Geoffrey H. Crispin for the Attorney-General of British Columbia.

Their Lordships heard Mr. Brewin.

J.D.W.

SECOND DIVISION

PRESENT:
Lord Thankerton
Lord Macmillan
Lord Simonds
Lord du Parcq
Lord Normand

APPEAL

The Auckland Electric Power Board v. The Public Trustee of the Dominion of New Zealand and another } New Zealand

Their Lordships heard Sir Valentine Holmes further.

Agree

Wednesday, 17th July, 1946.

FIRST DIVISION

PRESENT:

Viscount Simon
Lord Wright
Lord Porter
Lord Uthwatt
Sir Lyman Duff

APPEAL

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

Their Lordships further heard Mr. Brewin.

J.D.W.

SECOND DIVISION

PRESENT:

Lord Thankerton
Lord Macmillan
Lord Simonds
Lord du Parcq
Lord Normand

APPEAL

The Auckland Electric Power Board v. The Public Trustee of the Dominion of New Zealand and another } New Zealand

Their Lordships heard Sir Valentine Holmes further, and Mr. Rogerson and Mr. Henderson and, without calling upon Counsel for the Appellant for a Reply, reserved their judgment and deliberated thereon.

Agree

THIRD DIVISION

PRESENT:

Lord Roche
Mr. M.R. Jayakar
Sir Madhavan Nair
Sir John Beaumont

Petitions for withdrawal of appeals in terms of compromise

Hunter, Liquidator Bank of Upper India Ltd. v. Chaudhri Shafiq-Ur-Zaman and others and connected appeals (consolidated) } Oudh

Their Lordships agreed to advise His Majesty to make the Order as prayed.

REASONS FOR REPORT

Natha Singh and another v. The King-Emperor } Lahore

Their Lordships directed the Registrar to hand out to the Parties their Reasons for Report prepared by Sir John Beaumont.

Buttigieg v. Cross and others } Malta

Their Lordships heard Sir Roland Burrows further, Mr. Colombos, Mr. Barry, Mr. Parker and Sir Roland Burrows in Reply, and reserved their judgment and deliberated thereon.

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Thursday, 18th July, 1946.

FIRST DIVISION

PRESENT:

Viscount Simon
Lord Wright
Lord Porter
Lord Uthwatt
Sir Lyman Duff

APPEAL

The Co-operative Committee on Japanese Canadians and another v. The Attorney-General of Canada and another } Canada (Supreme Court)

Their Lordships further heard Mr. Brewin and heard Mr. O'Donnell and Mr. Gahan.

J.D.W.

SECOND DIVISION

PRESENT:

Lord Roche
Mr. M.R. Jayakar
Sir Madhavan Nair
Sir John Beaumont

PETITIONS

For special leave to appeal in forma pauperis

1. Subedar Mohd Amin v. The King-Emperor } North-West Frontier Province

R. Parikh for the petitioner.

Ex parte.

Their Lordships heard Mr. Parikh and agreed humbly to advise His Majesty that the Petition ought to be dismissed. Council Office fees to be remitted.

For special leave to appeal

2. Gill and another v. The King-Emperor } Bengal

A.G.P. Pullan for the Petitioners.

J. Megaw for the Respondent.

Their Lordships heard Mr. Pullan and, without calling upon Mr. Megaw, agreed humbly to advise His Majesty that the Petition ought to be dismissed.

PETITIONS (Continued)
For special leave to appeal

3. Khan Saheb Muhammad Waheb v. The King-Emperor } Bengal
A.G.P. Pullan for the petitioner.

Ex parte.

Their Lordships heard Mr. Pullan and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

4. Shyama Sankar Dave v. The King-Emperor } Bengal

C. Bagram for the petitioner.

Ex parte.

Their Lordships heard Mr. Bagram and agreed humbly to advise His Majesty that the Petition ought to be dismissed.

For stay of execution of proceedings.

5. S. Tirlochan Singh and another v. Ch. Beant Singh } Lahore

A.G.P. Pullan for the petitioners.

Ex parte.

Their Lordships heard Mr. Pullan and agreed humbly to advise His Majesty that the Petitioner ought to be granted stay of execution for a further two months (to enable security in Rs. 7,500 to be given by the Petitioner to the satisfaction of the High Court) and thereafter, if condition satisfied, until hearing of Appeal.

For special leave to appeal

6. Sri Sri Raja Kalyani Prasad Singh Deo v. The Borra Coal Company Limited and others } Bengal

J.M. Tucker, K.C., and S.P. Khambatta, K.C., for the petitioner.

S.C. Isaacs for the Respondents.

Their Lordships heard Mr. Tucker and, without calling upon Counsel for the Respondents, agreed humbly to advise His Majesty that the Petition ought to be dismissed.

W.D.W.

Friday, 19th July, 1946.

FIRST DIVISION

PRESENT:

Viscount Simon
Lord Wright
Lord Porter
Lord Uthwatt
Sir Lyman Duff

APPEAL

The Co-operative Committee on Japanese
Canadians and another

v.

The Attorney-General of Canada and
another

Canada
(Supreme
Court)

Their Lordships further heard Mr. Gahan and Mr. Wismer, and Mr. Brewin
in Reply, reserved their judgment and deliberated thereon.

J.D.W.

Monday, 22nd July, 1946.

FIRST DIVISION

PRESENT:

Lord Macmillan
Lord Simonds
Lord du Parcq
Mr. M.R. Jayakar
Sir Madhavan Nair

APPEALS

The Province of Bombay

v.

The Municipal Corporation of the City
of Bombay and another

Bombay

Since the conclusion of the argument in this case the attention of their
Lordships had been drawn to two Scots cases which had not been cited
by Counsel on either side. Counsel having been advised of these cases
and their Lordships having directed that the case should be re-argued
their Lordships heard Mr. Tucker, Mr. Page, Mr. Jopling and Mr. Tucker
in Reply, reserved their judgment and deliberated thereon.

Lord Thankerton
Lord Macmillan
Lord Wright
Lord Porter
Lord Uthwatt

His Majesty the King

v.

Domnion Engineering Company Limited

Canada
(Supreme
Court)

H.E. O'Donnell, K.C. (Canadian Bar), Frank Gahan and
W.R. Jackett (Canadian Bar) for the Appellant.

L.A. Forsyth, K.C. (Canadian Bar) and Sir Valentine Holmes, K.C.,
for the Respondent.

Their Lordships heard Mr. O'Donnell.

J.D.W.

SECOND DIVISION

PRESENT:

Lord Simonds
Lord du Parcq
Mr. M.R. Jayakar
Sir Madhavan Nair
Sir John Beaumont

JUDGMENT

Kumar Singh Chhajor and others

v.

The King-Emperor

Bengal

The Report of their Lordships who heard this Appeal was
delivered by Sir John Beaumont.

PETITIONS

For special leave to appeal

1. Baijnath

v.

The King-Emperor

Allahabad

A.G.P. Pullan for the Petitioner.

Ex parte.

Their Lordships heard Mr. Pullan and agreed humbly to advise
His Majesty that the Petition ought to be dismissed.

2. Polappa Naicker

v.

The King-Emperor

Madras

P.V. Subba Row for the Petitioner.

D.A. Grant for the Respondents.

Their Lordships heard Mr. Subba Row and, without calling upon
Counsel for the Respondent, agreed humbly to advise His
Majesty that the Petition ought to be dismissed.

3. T.B.S.S. Rajayya Pandia
Naicker

v.

Chinnathayee alias
Veeralakshmi Ammal and
another

Madras

Sir Herbert Cunliffe, K.C., and W. Wallach for the
Petitioner.

Sir Valentine Holmes and Mr. R.K. Handoo for the
Respondents.

Their Lordships heard Sir Herbert Cunliffe and Sir Valentine
Holmes, and Sir Herbert Cunliffe in Reply, and reserved
their judgment and deliberated thereon.

4. The Punjab Province

v.

Sita Ram and others

Lahore

Andrew Clark, K.C., and John Hegaw for the petitioner.

A.G.P. Pullan for the Respondents.

Their Lordships heard Mr. Clark and Mr. Pullan, and agreed
humbly to advise His Majesty that special leave to appeal
ought to be granted to the Petitioner; the Petitioner to
pay the costs of the application for special leave and the
costs of the Appeal in any event.

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Thursday, 29th November, 1946

PRESENT:

Lord Wright
Lord Porter
Lord Uthwatt
Sir Madhavan Nair
Sir John Beaumont

APPEAL

The Raleigh Investment Company Limited } India
v. } (Federal
The Governor-General in Council } Court)

Their Lordships further heard Mr. Isaacs and heard Mr. Tucker and Sir Cyril Radcliffe on the point relating to Section 67 of the Act, reserved their judgment and deliberated thereon.

Monday, 2nd December, 1946

PRESENT:

Lord Wright
Lord Porter
Lord Uthwatt
Sir Madhavan Nair
Sir John Beaumont

JUDGMENT

The Co-operative Committee on } Canada
Japanese Canadians and another } (Supreme
v. } Court)
The Attorney-General of Canada
and another }

The Report of their Lordships who heard this Appeal was delivered by Lord Wright.

PETITION

For special leave to appeal

Els v. Swaziland
The King }

S.N. Bernstein for the Petitioner.

F. Gahan for the Respondent.

Their Lordships heard Mr. Bernstein and Mr. Gahan, and agreed humbly to advise His Majesty that the petition ought to be dismissed.

APPEALS

Zabrovsky v. Palestine
The General Officer Commanding
Palestine and another }

Patrick Devlin, K.C., J.H. Jacob and M. Seligman for the Appellant.

C.T. Le Quesne, K.C. and F. Gahan for the Respondents.

Their Lordships heard Mr. Devlin.

J.D.W.

J.D.W.

88
Tuesday, 3rd December, 1946

PRESENT:

Lord Wright
Lord Porter
Lord Uthwatt
Sir Madhavan Nair
Sir John Beaumont

APPEALS

Zabrovsky v. Palestine
The General Officer Commanding
Palestine and another }

Their Lordships further heard Mr. Devlin and heard Mr. Le Quesne.

J.D.W.

Wednesday, 4th December, 1946

PRESENT:

Lord Wright
Lord Porter
Lord Uthwatt
Sir Madhavan Nair

FIRST DIVISION

MOTION

For postponement of hearing of Appeal

Quinlan v. Canada (Supreme
Robertson and others } Court) & Quebec
and another appeal consolidated } (Court of King's
Bench)

F. Gahan for the Respondents - Robertson (Applicant).

B. MacKenna for the Respondents - Capital Trust Corporation and General Trust of Canada.

G.G. Slack for the Appellant.

Their Lordships, after hearing Counsel, granted the motion.

PETITIONS

For special leave to appeal

1. The King-Emperor v. Lahore
Alam Khan }

Sir Valentine Holmes, K.C., and J. Megaw for the Petitioner.

Ex parte.

Their Lordships heard Sir Valentine Holmes and agreed humbly to advise His Majesty that special leave to appeal ought to be granted.

2. Ujagar Singh and another v. Lahore
The King-Emperor }

R. Parikh for the Petitioners.

Ex parte.

Their Lordships heard Mr. Parikh and agreed humbly to advise His Majesty that the petition ought to be dismissed.