
(1876) 06 AHC CK 0007

Allahabad High Court

Case No: None

Gauri

APPELLANT

Vs

Chandramani

RESPONDENT

Date of Decision: June 29, 1876

Citation: (1875) ILR (All) 262

Hon'ble Judges: Turner, J; Spankie, J

Bench: Division Bench

Final Decision: Dismissed

Judgement

1. It does not appear to have been admitted that the property was held by Lachman Parshad and Beni Madho in equal shares, but assuming it was the joint property of the two brothers, the widow of Beni Madho is entitled to live in it, it being the house in which she resided with her husband. She cannot be ousted by a purchaser of her nephew's right. Mangala Debi v. Dinanath Bose 4 B.L.R. C.J. 72 : S.C. 12 W.R. O.J. 35. The house is a small one, and it is not shown that one moiety is more than sufficient as a residence for the Mussammat. We shall not therefore disturb the decree of the lower appellate Court, but dismiss the appeal with costs.