

(1878) 06 CAL CK 0008

Calcutta High Court

Case No: None

In Re: In the Goods of
Elliott

Vs

APPELLANT

RESPONDENT

Date of Decision: June 7, 1878

Citation: (1879) ILR (Cal) 106

Hon'ble Judges: Pontifex, J

Bench: Single Bench

Judgement

Pontifex, J.

It being conceded by both sides that Surgeon-Major Elliott came out to India in the service of the East India Company previous to 1858, I think the case is concluded by the very careful judgment in Wauchope v. Wauchope (4 Ct. of Sess. Cases, 4th series, 945), before the Court of Session in Scotland, in which I feel certainly inclined to agree; at all events, I am not inclined to dissent from it. I must, therefore, hold that Surgeon-Major Elliott at his death had an Anglo-Indian domicile. The will is therefore not good.