

**(1870) 01 CAL CK 0014**

**Calcutta High Court**

**Case No:** None

Gadadhar Moitry

APPELLANT

Vs

Gangaprasad Moitry

RESPONDENT

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**Date of Decision:** Jan. 31, 1870

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**Judgement**

Macpherson, J.

I think another umpire should be appointed. When a person has gone to England, and remains there, and there is no evidence to show that he has any intention of coming back to India, it seems to me that he renders it impossible for himself to act as umpire, and that he is inclinable of acting as umpire within the meaning of section 319.