

(1870) 02 CAL CK 0020

Calcutta High Court

Case No: None

Abbott

APPELLANT

Vs

Crump

RESPONDENT

Date of Decision: Feb. 3, 1870

Judgement

Macpherson, J.

In this case the first question is whether the fact of the defendant having committed adultery with the wife of the plaintiff, is a sufficient ground for the dissolution of their partnership. I readily admit that immorality generally is not a ground, and also that the mere fact of one partner committing adultery with other than the wife of another partner is no ground, but anything which makes it practically impossible for parties to join in the work of their partnership is a ground for dissolution, and it is one of the first principles that it should be so. Adultery has been proved, and a decree for dissolution of marriage made under such circumstances that it is absolutely impossible for the plaintiff to carry on any business with the defendant. I have no doubt whatever that adultery with a partner's wife is a sufficient ground for dissolution of the partnership; other facts such as exclusion from the shop have been alleged. For myself I rest my decision on the adultery.