Before Mr. Justice Walsh and Mr. Justice Stuart.

GAJADHAR (APPLICANT) *v.* MEGHA AND ANOTHER (OPPOSITE PARTIES).*

1922 *March*, 28.

Act No. XIX of 1841 [*Succession (Property Protection) Act*], *section* 18—*Appeal.*

No appeal will lie from the decision of a District Judge in a summary suit under Act No. XIX of 1841.

THE facts of the case material for the purposes of this report are as follows :—

One Gaya died leaving a widow. On her death the respondent, Megha, came into possession of her property, valued at several thousands of rupees. The appellant, Gajadhar, who claimed to be the nearest reversioner, applied to the District Judge under Act No. XIX of 1841 [The Succession (Property Protection) Act] for the appointment of a curator. The Judge issued notice to Megha, but ultimately dismissed the application on account of the delay on the part of Gajadhar to produce his evidence.

Gajadhar appealed.

Pandit *K. N. Laghate*, for the appellant.

Munshi *Shiva Prasad Sinha* (with him Munshi *Jang Bahadur Lal*), for the respondents.

WALSH and STUART, JJ.:—The learned counsel for the respondents takes a preliminary objection that no appeal lies under the provisions of section 18 of Act XIX of 1841. This objection must prevail. The appeal is dismissed with costs.

Appeal dismissed.

Before Mr. Justice Ryves and Mr. Justice Gokul Prasad.

NARAIN RAO KALIA AND OTHERS (DEFENDANTS) *v.* MANNI KUNWAR (PLAINTIFF).†

1922 *March*, 28.

Act No. IX of 1908 (*Indian Limitation Act*), *section* 19—*Acknowledgment of liability—Mukhtar-a'am—Authority of mukhtar-a'am to acknowledge liability on behalf of principal.*

It cannot be assumed that a mukhtar-a'am has power to acknowledge liability within the meaning of section 19 of the Indian Limitation Act; but

* First Appeal No. 201 of 1921, from an order of B. J. Dalal, District Judge of Allahabad, dated the 18th of November, 1921.

† Second Appeal No. 1150 of 1919, from a decree of Kameshwar Nath, Officiating District Judge of Ghazipur, dated the 28th of October, 1918, reversing a decree of Sudershan Dayal, Additional Subordinate Judge of Ghazipur, dated the 9th of July, 1917.