



THE INDIAN LAW REPORTS

RANGOON SERIES

CONTAINING

DECISIONS DETERMINED BY THE HIGH COURT AT RANGOON AND
BY THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL
ON APPEAL FROM THAT COURT (INCLUDING THE LATE
CHIEF COURT OF LOWER BURMA).

REPORTED BY

Privy Council ... A. M. TALBOT, B.A., LL.B. (*Cantab.*) (*Inner Temple*).
High Court, Rangoon { J. C. BILIMORIA, B.A. (*Lincoln's Inn*). *Editor*.
E MAUNG, M.A., LL.B. (*Cantab.*) (*Middle Temple*).
KYAW MYINT (*Middle Temple*).

GENERAL INDEX

VOL. VI.—1928.

*Published under the authority of the Governor of Burma in Council
by the Supdt. Govt. Printing and Stationery, Burma, Rangoon.*

THE HIGH COURT, 1928.

1st January to 31st December.

CHIEF JUSTICE.

The Hon'ble Sir JOHN GUY RUTLEDGE, Kt., K.C., M.A. (on leave from 16th April to 9th September).

The Hon'ble Sir HENRY SHELDON PRATT, Kt., M.A., I.C.S. (officiating Chief Justice from 16th April to 9th September).

PUISNE JUDGES.

The Hon'ble Sir HENRY SHELDON PRATT, Kt., M.A., I.C.S.

The Hon'ble Sir BENJAMIN HERBERT HEALD, Kt., V.D., M.A., I.C.S. (on leave from 16th April to 9th September).

The Hon'ble Mr. Justice WILLIAM CARR, I.C.S. (on leave from 16th April to 29th May).

The Hon'ble Mr. Justice JOHN ROBERT ELLIS CUNLIFFE, *Barrister-at-Law.*

The Hon'ble Mr. Justice PARUNGAVUR NARASIMHA CHARI, B.A., B.L.

The Hon'ble Mr. Justice JYOTIS RANJAN DAS, *Barrister-at-Law.*

The Hon'ble Mr. Justice ROBERT EDWARD OTTER, M.C., *Barrister-at-Law* (on leave from 2nd April to 9th September).

The Hon'ble Mr. Justice MAUNG BA, B.A., K.S.M.

The Hon'ble Mr. Justice MYA BU, *Barrister-at-Law.*

The Hon'ble Mr. Justice HAROLD ARROWSMITH BROWN, B.A., *Barrister-at-Law*, I.C.S. (on leave from 16th April to 9th September).

The Hon'ble Mr. Justice HENRY LEE ORMISTON,
Barrister-at-Law (officiating from 2nd April to
9th September).

The Hon'ble Mr. Justice JOHN MINTY BAGULEY,
B.A., *Barrister-at-Law*, I.C.S. (officiating from
16th April to 9th September).

The Hon'ble Mr. Justice JOHN PATRICK DOYLE,
Barrister-at-Law, I.C.S. (officiating from 16th
April to 9th September).

The Hon'ble Mr. Justice ARTHUR JOHN DARWOOD,
Barrister-at-Law (officiating from 16th April to
9th September).

The Hon'ble Mr. Justice ARCHIE GERARD MOSELY,
I.C.S. (officiating from 16th April to 29th May).

Mr. A. EGGAR, M.A., *Barrister-at-Law*, Government
Advocate.

U BA DUN, *Barrister-at-Law*, Deputy Government
Advocate.

Mr. CLIVE HERBERT GAUNT, LL.B., Assistant
Government Advocate.

U TUN BYU, M.A., *Barrister-at-Law*, Assistant Govern-
ment Advocate.

ERRATA ET CORRIGENDA.

Page 1, and in the marginal headings, pages 2 to 6, first respondent's name : *for Po Sein read Po Sin.*

Page 24, line 7, *for* section 23, *read* section 63.

Page 27, in the headnotes *for* Act III of 1922, *read* Act V of 1920.

Page 87, *delete* the second and third paragraphs of the headnotes and *substitute* the following paragraph :—

Held, that an unpaid builder in India has no lien in law upon the building in his possession for the balance due to him under contract for construction.

Page 214, and in the marginal headings, pages 215 and 216, first respondent's name : *for Aung Mo read Maung Mo.*

Page 231, line 6 from below : *for little read title.*

Page 275, footnote (3), *add* :—

at Mandalay.

Page 305, in the footnotes *add* :—

(7) (1922) I.L.R. 49 Cal. 999 ; L.R. 49 I.A. 307.

Page 306, in the footnotes *delete* the first footnote and *renumber* the rest, (1) to (7).

Pages 305 and 310, *correct* the name of the case marked (5) and (1) respectively as : *Kirparam v. Rakhi.*

Page 510, *add* as a first headnote :—

Held, that there is no provision in the *Dhammathats* enabling parents to disinherit their children except by giving them away in adoption to another.

Add in the synopsis of the headnotes :—

Parents' power to disinherit children.

Page 641, in the footnotes *add* :—

(15) (1925) A.C. 377.

ADDENDA.

In Civil First Appeal No. 294 of 1927 (*Maung Ba Tu v. Ma Thet Su and others*), Sir Henry Pratt, Officiating Chief Justice and Mr. Justice Cunliffe, upheld in a brief judgment the decision of Chari, J., reported at 5 Ran. 785, that a fresh suit in respect of the same cause of action will not lie though the mode of relief is varied, when the first suit has been dismissed for default of appearance of the plaintiff.

1928
May 14.

