

It is clear however that no order could be made under this article inasmuch as no order has yet been made calling upon these Defendants to do or not to do any act.

The proper course would have been for the Plaintiffs to have applied to the District Court under Sec. 92 of the Civil Procedure Law, 1885, for a Writ of Partition addressed to the Land Registry Office directing a partition of the property. The Land Registry official executing the writ would become for the purpose of the writ an officer of the Court, and any person obstructing him in the discharge of his duties would then be proceeded against under Art. 212 of the Order in Council.

There may possibly be other remedies, and what we now say is without prejudice to those other remedies, but the course we have indicated seems to us the course which the applicants should adopt in this case.

Application refused.

TYSER, C.J.
&
BERTRAM
J.

AYSHE ALI
AGHA
AND
OTHERS
v.
SALIH ALI
AGHA
AND
OTHERS
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The case of *Rex v. Hassan Ali* reported in pages 46-47 of the original edition is no longer of any importance.