

TYSER, C.J. is irregular, though a party may waive an irregularity, when the case  
 &  
 BERTRAM, is before the Court. The hearing of this action by the District Court  
 J. was however not a nullity, but an irregularity. The proper course  
 CHRISTOPHI for the Defendant to have taken was not to object to the jurisdiction  
 HAJI of the Court, but to apply to strike out the action as irregularly insti-  
 NIKOLA tuted. If this had been done, an appeal could have been made to the  
 v. Supreme Court, before the action was set down for trial. This was  
 HAJI not done, and accordingly the judgment of the Court, in spite of the  
 MICHAEL irregularity in the proceedings, stands good. It is not like a case in  
 HAJI which the Court had no jurisdiction.  
 PAVLOU

As a matter of fact the point is not raised by the Appellant on the  
 appeal, but was put forward by the Defendant on the hearing, and as  
 both the judgment in the District Court and this Court is in favour  
 of the Defendant it doesnot not now arise. We refer to it however  
 in order to call attention to the proper method of raising such questions,  
 with a view to saving the expense of a trial where an action is not  
 regularly instituted, or when the Court has no jurisdiction to entertain it.

The appeal is dismissed with costs.

*Appeal dismissed.*

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The case of *Haji Michael Demetri v. Haji Pavli Haji Michaeli* reported  
 in page 44 of the original edition is no longer of any importance.