

Bombay, Friday 14th December 1860.

In the Suder



Dewanee Adawlut.

No. 4245 Special.

Chennulapa bin Sungapa Kutgaree resident
of Purwatee (original Plaintiff) ————— } Appellant

— Versus —

Bhowrow Venketesh resident of Purwatee (ori-
ginal Defendant) ————— } Respondent

— Rupees 50 - " - " —

The claim in the original suit was for
the release of a house from attachment.

This special appeal is from a decision
in appeal (No. 425 of 1859) by the Assistant
Judge of the Zillah of Dharwar, affirming the
decree in the original suit by the Moonsiff of Roan,
who threw out the claim of Chennulapa and af-
firmed the attachment.

Whereat Chennulapa being dissatisfied
made Special appeal in the Suder Dewanee Adaw-
lut on the following grounds.

1st. That the Assistant Judge has miscon-
strued Exhibit No. 9 there being nothing
in the document which can be held to amount

to an acknowledgment that the Petitioner
was a tenant of Kalowa.

2nd That the house which was built by the
Petitioner cannot be made liable for Kalowa's
debts although her rights to the land on which
it stands may be held to be established

3rd That only Kalowa's right to receive rent
for the land in question can be attached and
sold by her judgment creditor.

The Court reverse the decree of the
Assistant Judge and remand the case for further
investigation. Costs to follow the final decision.

Bill of Costs

In the Suder Dewanee Adawlut.

By appellant _____ 7-4-"

By Respondent _____ " 2-"

Rupees 7-6-"

Value's Fee to be reckoned according to the
provisions of Act I of 1845.

R. Heays

Prinice Judge

J. H. Newson

Act. Prinice Judge

for Mr. W. Hart

Prinice Judge

J. H. Roberts

Acting Prinice Judge

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True Translation

Edward Harrington
1st Assistant Registrar