

Bombay, Friday, 7th March 1862.

In the Sudder



Dewanee Adawlat

N^o 4308, Special

Bhiwraj Wulud Danajee, Marwadee,
resident of Shuhur Moolhee (original Defendant) } Appellant

— 48 —

Ghuma wife of Toolsheeramsheet, deceased,
her nephew and heir Parba Wulud ChagooSheet,
resident of Shuhur Moolhee (original Plaintiff) } Respondent

Rupees 20 — " — "

The claim in the original suit was to recover possession of a house.

In Appeal, N^o 134 of 1859, the Acting Judge of the Zillah of Khandesh affirmed with costs on Bhiwraj, the decree of the Moonsiff of Baglan, who ordered delivery of the house to Ghuma.

Dissatisfied, Bhiwraj made Special Appeal in the Sudder Dewanee Adawlat urging that the bond on which the claim is laid is invalid being unstamped and the value of the property transferred under it being in excess of Rupees 16; and, that he having offered payment of the Rupees 12 stipulated for, once, and Ghuma having declined to receive the same, the Acting Judge has decided contrary to Law in ruling that he was bound to tender payment a second time.

The

The Court reverse the decree of the Acting Judge and remand the suit in order to his deciding the point of a legal tender having been made or not, and passing a fresh decree according to Law. Costs to follow the final decision.

21/3/18

Bill of Costs

In the Sudder D Adawlut

By Appellant

Stamps for the copies of two Decrees	1	----
" Bukhutnama	1	----
" Supplementary Memo: of S. a.	1	----
" Application for permission to enter the name of the Respondent's heir	2	----
Batta for process	4	----
1/4 Bukheel's Fee	2	----
		<u>Ppees-3-8-4</u>

21/3/18

H. Resoob
Sudder Judge
H. Beethoo
Actg. Sudder Judge

मुंघरत लिखित मसुदा नमिसे १८६२ शुक्रवार
उधर उधर वीरमणिसाल
सुबेदार मसुदा
४३०८

~~मिहनास पादु हासि विसरल्लि राधा हासि मुसुरे हासि~~
~~प्रतिपक्ष~~
~~धम्म मसु विसरल्लि नामते विसरल्लि विसरल्लि कवार उ पुतायाहा~~
~~पद्म पादु मु उ व नाधार हासि मुसुरे हासि~~
 सप्त
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