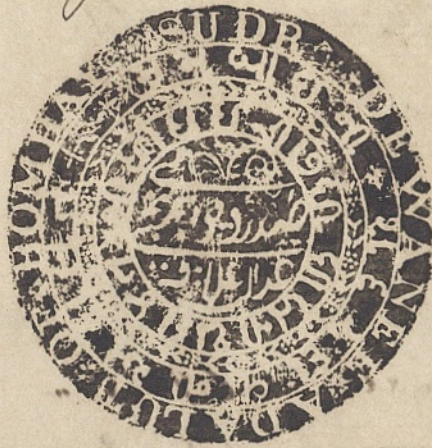


3/62 60341-2000  
Bombay Monday, 3<sup>rd</sup> March 1862.

In the Sudr



Dewanee Adawlut

No 4310 Special

Roodrapa bin Niranjanapa Honwad,  
resident of Hoonagoono (Original Plaintiff) } Appellant

Girmullapa Siroor resident of Kope } Respondent  
(Original Defendant)

Rupees 300- " - "

The claim in the original suit was to recover possession of some Nadgowduki Inam land.

In appeal No 591 of 1858, the Joint Judge of the Zillah of Dharwar affirmed with costs on Roodrapa, the decree of the Sudr Ameen of Bagul Kote who threw out the claim.

Dissatisfied, Roodrapa made Special appeal in the Sudr Dewanee Adawlut on the grounds that the *onus probandi* has been thrown by the Lower Courts on the wrong party, and that Mantapas claim against Petitioner for the land having already been tried and rejected, he could not sell a title to Girmullapa, and that therefore the joint Judge was wrong in rejecting his present claim.

The Court reverse the decree of the joint

joint judge and award the fields in dispute to  
Appellant Roodrapa with all costs.

Ch 14/3

Bill of Costs

By appellant

In the Lillah

In the Sudder Ameen's Court — 69 - 5 - 0  
 — " — Joint Judge's — " — 46 - 2 - 0     115 - 7 - 0

In the Sudder D. Adawlat

Stamp for the Memo: of S. appeal — 28 - 0 - 0  
 — " — Copies of Decrees — 4 - 0 - 0  
 — " — Bukalutnama — 1 - 0 - 0  
 — " — Supplementar<sup>y</sup> Memo of S. a. — " - 0 - 0  
 — " — Security bond — " - 2 - 0  
 Batta for process — " - 8 - 0  
 Bukkeel's fee — 9 - 0 - 0     43 - 10 - 0  
Papees — 189 - 1 - 0

By Respondent

In the Lillah

In the Sudder Ameen's Court — 21 - 6 - 0  
 — " — Joint Judge's — " — 10 - 8 - 0     31 - 14 - 0

In the Sudder D. Adawlat

Stamp for Bukalutnama — 1 - 0 - 0  
 Bukkeel's fee — 9 - 0 - 0     10 - 0 - 0  
Papees — 41 - 14 - 0

Ch 14/3

H. H. H. H.  
 A. H. H. H.  
 P. H. H. H.

Whitlock Forbes  
 Acting District Judge

सुंघर्षतादि ३ अथे मन्मथिकादि ६२ जेसवार

उद्यर                      उद्यर                      वरुणमिमासा  
सुंघर्षितासंघर  
४३५

~~सुंघर्षितासंघर ३ अथे मन्मथिकादि ६२ जेसवार~~                      अथेसं

~~गुरुमत्ता उद्यर ३ अथे मन्मथिकादि ६२ जेसवार~~                      मिथ्यासं

सुंघर्ष  
३००

~~अथेसं ३ अथे मन्मथिकादि ६२ जेसवार~~

~~अथेसं ३ अथे मन्मथिकादि ६२ जेसवार~~

~~अथेसं ३ अथे मन्मथिकादि ६२ जेसवार~~

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~~अथेसं ३ अथे मन्मथिकादि ६२ जेसवार~~

अथेसं

४९६१४

मिथ्यासं ३ अथे मन्मथिकादि ६२ जेसवार

२९६६

उद्यर ३ अथे मन्मथिकादि ६२ जेसवार

१०६६

अथेसं ३ अथे मन्मथिकादि ६२ जेसवार

१०

उद्यर ३ अथे मन्मथिकादि ६२ जेसवार

१ अथेसं

१ अथेसं

१०

अथेसं ३ अथे मन्मथिकादि ६२ जेसवार

६६६२

अथेसं ३ अथे मन्मथिकादि ६२ जेसवार

अथेसं ३ अथे मन्मथिकादि ६२ जेसवार

४३६१०

अथेसं ३ अथे मन्मथिकादि ६२ जेसवार

- 26 ~~महाराष्ट्र सरकारचे कार्यालय~~
- ~~पुणे~~
- 8 ~~सर्वेक्षण~~
- 9 ~~पत्रिका~~
- 9 ~~पुणे~~
- 62 ~~सर्वेक्षण~~
- 66 ~~सर्वेक्षण~~
- 2 ~~पत्रिका~~

89698

83670

92269

~~पुणे~~  
~~सर्वेक्षण~~  
~~पत्रिका~~

~~पुणे~~

~~सर्वेक्षण~~

True Translation

*Chamington*

1st assist. Registrar

Page 430

It is stated to the said Suddi Dura  
that he was prohibited by the Government  
in the same way: - & that the same  
claim of the App<sup>r</sup> for the land in di  
- kuthi having already been tried & rejected,  
he could not give a title to Suddi Dura,  
unless he were to App<sup>r</sup> being one of  
of the latter.

We are of opinion that the second  
objection is valid. We find that Man-  
tapa, under whom Suddi Dura's  
claim, brought in return to receive  
possession of the fields in di kuthi from  
App<sup>r</sup> Suddi Dura, when his claim was  
rejected (Exhibit 2, p. 14). Under  
such circumstances this case is decided  
by Reg<sup>r</sup> of 1827. p. 20. cl 3 -

We have for whom the said Suddi  
Dura & around the fields in di kuthi  
to App<sup>r</sup> Suddi Dura - with all costs

3 March 1862. *[Signature]*  
Attachee  
1862

Messrs Herbert and Forbes

No 11310 Special Prought

Podrappa bin On this case  
anjunapa.

of  
rullapa as per

Rs 300- "- " margin

Sharwar

Mukel Dhirajlal Muthooradas  
appellant and Shu Keerapa  
Respondent.

Read the Proceedings  
of the Lower Courts and the Cer-  
tificate granted by W. Hart  
Judge dated 9<sup>th</sup> July 1860