

29/3/62 21/6/82

Bombay, Friday, 7th March 1862

In the Sudder

Dewanee Adawlut



N^o 4312, Special

Govind Gopal Somu, resident of Wanje }
Talooka Panwell (original Defendant) - } Appellant

At

Kashinath Chimmaje, his son and heir }
Shridhar, a minor, his mother and }
guardians Saloobaee, resident of Puluspe, } Respondent
Talooka Panwell (original Plaintiff) - }

Rupees-50--"--

The claim in the original suit was to compel the occupants to vacate a *sopa* or portion of a house and to give over possession of the same.

In Appeal N^o 293 of 1859, the Judge of the *Lillah* of the *Konkum* affirmed with Costs on Govind the decree of the *Mونسيف* of Panwell who awarded to Saloobaee possession of the *sopa* claimed.

Dissatisfied, Govind made Special Appeal in the Sudder Dewanee Adawlut urging, that the bond N^o 15 is misconstrued; there being a stipulation to the effect that when the Respondent vacates the property the Petitioner will have a right to occupy it and the Respondent having quitted the property and it being occupied by the Petitioner the Judge was in error in disturbing his possession; and 2^{ndly} that as there is an agreement in the bond N^o 15 to the effect

effect that Kashinath Chinnaji & his heirs should occupy the Sopra, but cannot sell it to others, their right to the property ceased when they rented it to others.

The Court amend the decree of the Lillah Judge and direct that Appellant make over the Sopra in dispute to the Respondent for her personal occupancy but at the same time declare her incompetent to rent the same to another. Costs to be borne by the appellant.

Bill of Costs

By Appellant

In the Lillah

In the Moonsiff's Court	3-6-6	
" Judge's "	5-12-"	
		9-2-6
In the Sudder D. adawlat		
Stamp for the Memo: of S. Appeal	4-"	
" Copies of Decrees	1-"	
" Bukalutnama	"-2-"	
Watta for process	"-6-"	
Bukkeel's Fee	1-8-"	
Sectioner's Fee	"-12-6	
		7-12-6
		<u>Pupees 16-15-"</u>

By Respondent

In the Lillah

In the Moonsiff's Court	7-14-6	
" Judge's "	2-2-"	
		10-"
In the Sudder D. adawlat		
Stamp for Bukalutnama	2-"	
Bukkeel's Fee	1-8-"	
		3-8-"
		<u>Pupees 13-8-6</u>

H. Deodub.
Parsuram

H. Deodub.
Asst. District Judge.

मुंघर्ष तादि उभये मन्म उभि ६२ दुःखवार

उपर

उभय

उभयमिहाल

सुनिदितासंधार

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