

27/4/62

2 @ 3 pm (1968/1972)

12/11

Bombay, Friday, 21st March 1862.

In the Sudr



Dewanee Adawlat

N^o 1315, Special.

Babjee wulad Mohunlal, Bhaté,
resident of Kusbek Dhurangaon 41 } Appellant
(original Defendant) _____

Gopala, Nana, and Laljee bin See-
koolal, the last two minors, their guardian } Respondents
Gopala, resident of Kusbek Dhurangaon }
(original Plaintiffs.) _____

Rupees 25-0-0

The claim in the original suit was to recover possession of a certain building site.

In appeal, N^o 163 of 1859, the acting Judge of the Zillah of Khandesh affirmed with costs, the decree of the Moonsiff of Ammulnair, who awarded to Gopala and others possession of the site in dispute.

Dissatisfied, Babjee made Special Appeal in the Sudr Dewanee Adawlat on the grounds, that the opposite party did not, as he should have done, give in his title deed with his plaint; 2^{ndly}, that having been so long in possession the Acting Judge was in

error

error in throwing the onus upon him of proving ^{his} title; and 3^{rdly} that the claim is not laid as provided in the Interpretation dated 7th June 1837, on Regulation IV of 1827 Section 3.

The Court reverse the acting Judge's decree, and reject the Respondent's claim, with all costs.

Bill of Costs

By Appellant

In the Lillah

In the Moonsiff's Court ————— 12-7-"
 " Judge's " ————— 5-5-"
 Suddur Dewanee Adawlut
 Stamp for the Memo: of S. Appeal — 2-0-0-"
 " Copies of Decrees — 1-0-0-"
 " VuKalutnama — " 1-0-0-"
 " Supplementary memo: }
 of Special Appeal } " 1-0-0-"
 " Security bond — 2-0-0-"
 Batta for process ————— " 4-0-0-"
 VuKeel's fee ————— " 12-0-0-"
 Rupees ————— 23-14-0-"

By Respondent

In the Moonsiff's Court ————— 10-6-"
 " Judge's " ————— " 13-0-0-"
 Rupees ————— 11-3-0-"

H. Stewart
 Pursr. Judge
 H. Stewart
 Act. District Judge.

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~~જાડવણ જાણે છે તે કોઈ વિધિવિધાને~~
~~પરિચરિયા~~

~~૬૬૨~~
~~ઉદારવંદિયા વિધાનવિધા~~
~~૨~~ ~~સરવંદિયા વિધાનવિધા~~
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~~૧~~ ~~વેલિયાવિધા~~
~~૬૧~~ ~~વલિયાવિધા~~
~~૬૧~~ ~~વલિયાવિધા~~
~~૨~~ ~~વલિયાવિધા~~
~~૬૨~~ ~~વલિયાવિધા~~
~~૬૧૨~~ ~~વલિયાવિધા~~

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~~તરુણ સુભાષણાર વિધાનવિધા~~
~~વલિયાવિધા~~
~~વલિયાવિધા~~

~~૬૧૩~~ ~~જાડવણ જાણે છે તે કોઈ~~

~~૦~~ ~~ઉદારવંદિયા વિધાનવિધા~~

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~~ઉદારવંદિયા વિધાનવિધા~~

True Translation,
Shulam Patel
Acting Registrar