

1795/62

Bombay, Friday, 25th April 1862

In the Sudur



Dewanee Adawlut

N^o: 4352 Special

Purushram W^d Nagoor Bwar and Luksh-
-mum W^d Rayajie Malee - Residents of -
Goodhe in the Bahal District of the Khan-
-desh Lilla (Original Plaintiffs) } Appellants

~~At~~
Venkoba W^d Nunda gadhow - Resident of
Goodhe in the Bahal District of the Khan-
-desh Lilla (Original Defendant) } Respondent

Rupees-30-11-10

The claim in the original suit was to re-
-cover from Respondent Venkoba and another (Awajie)
Rupees 61-7-9 being the equivalent of 1/6 share of the
profits of a field of sugarcane cultivated in partner-
-ship by the parties to the suit and three others.

The Acting Moonsiff of Bhudgann tried the
case ex parte and awarded the claim with costs, but
this decree was annulled in Appeal n^o: 211 of 1859 by
the Judge of the Lilla of Khandesb, on the appeal of the
present Respondent Venkoba so far as it affected the
Respondent Venkoba.

Dissatisfied Purushram and Lukshum
made Special Appeal in the Sudur Dewanee Adawlut
against Venkoba alone, in the amount of Rupees 30-11-10
as Awajie had paid them intermediately the balance of
their claim, urging that as Venkoba did not appear in
the Court of original jurisdiction the Judge should not have
amended the Moonsiff's decree until Venkoba had shown
cause

cause for his failure to appear and answer in the suit; that the partnership having been proved Venkoba should have been required to shew that the profits were not as great as stated by the Plaintiffs; and that Plaintiffs (Special Appellants) were not called on to produce all their proof and should therefore have been allowed another opportunity of producing it.

The Court confirm the Lilla Judge's decree — with costs.

Bill of Costs

By Appellant

In the Lilla

In the Moonsiff's Court ————— 12-5-6

Ditto — Judge's — 8% ————— 2-1-6 14-7-11

In the Sudder D Adawlat

Stamp for the Memo: of S. Appeal — 3 ———

Stamps for the copies of decrees — 2 ———

Stamp for Venkabhama ————— " - 4 - ——

Stamp for Supplementary Memo: of S. Appeal 2 ———

Stamp for security bond ————— 2 ———

Datta for process ————— " - 4 - ——

Venkeel's Fee ————— 1-13-6 11-5-6

Papees ————— 25-12-6

By Respondent

In the Lilla

In the Judge's Court ————— 8-1-6

In the Sudder D Adawlat

Stamp for Venkabhama ————— 2 ———

Venkeel's Fee ————— 1-13-6 3-13-6

Papees ————— 11-15-11

H. K. Clewton
Acting Chief Justice

Whitcomb Forbes
Acting Justice

7 May 1862

ॐ श्रीगणेशाय नमः ॥ १ ॥

ॐ श्रीगणेशाय नमः ॥ १ ॥

दीर्घाक्षरसूची

२२६९२६६
 १४६७
 १२६२६६
 २६९६६
 १४६७
 ११६२६६
 ३
 २
 ६४
 २
 २
 ६४
 १६९३६६
 ११६२६६
 २२६९२६६

११६९२
 ८६९६६
 ८६९६६
 ८६९६६
 ३६९३६६
 २
 १६९३६६
 ३६९३६६
 ११६९२

ॐ श्रीगणेशाय नमः ॥ १ ॥
 ॐ श्रीगणेशाय नमः ॥ १ ॥

ॐ श्रीगणेशाय नमः ॥ १ ॥
 ॐ श्रीगणेशाय नमः ॥ १ ॥

True Translation
 Harrington
 1st Assent Registration