

62.  
Bombay, Friday, 27<sup>th</sup> June 1862.

In the Sudder



Court

No. 4354, Special

Mahadshet bin Rughoonath Shet, deceased,  
and Ramchunder Shet bin Govind Shet Kolwan  
=Kur for himself and as heir of the former, resident  
of Pett Narayan, Turf Simgumeshwar (original  
Defendant)

Appellant

~~1/4~~  
Dushrut Shet bin Balshet, deceased, his son  
and heir Rughoonath Shet, resident of Pett Narayan,  
Turf Simgumeshwar (original Plaintiff)

Respondent

— Rupees 181-4-— —

The claim in the original suit was to recover  
the sum of Rupees 181-4-— the principal and interest due  
on a bond.

In Appeal, No. 121 of 1858, the Acting Senior  
Assistant Judge of the Zillah of the Konkan, at the  
detached station of Putnagherry, affirmed with costs,  
the decree of the Sudder Ameen of Putnagherry which  
ordered that Rughoonath Shet should recover the  
amount of his claim from the house pledged in the bond  
and from the other property of Mahadshet bin Rughoonath  
=shet and from the person and property of Ramchunder  
Shet.

Dissatisfied, Ramchunder Shet preferred  
a special Appeal in the Sudder Court urging  
that

that the decision of the Acting Senior Assistant Judge is opposed to Law inasmuch as under Section 8 of Act X of 1855 a Defendant in an ex parte suit is not barred from appealing against a decision passed against him.

The Court reverse the decree of the Acting Senior Assistant Judge and remand the case in order to his deciding it on its merits. Costs to follow the final decision.

Bill of Costs  
In the Sudder Court

By Appellant

Stamps for the copies of two decrees	4	—	—	—
Stamp for Dutkalutama	—	—	8	—
Stamp for the supplement to the memo: of Special Appeal	—	—	8	—
Stamp for the security bond	2	—	—	—
Batta for process	1	—	—	—
Sectioner's fee	—	—	6	6
1/4 Dutkeels fee	1	5	9	

H. H. Sobik  
Punna h. D.

Abnuloob Forbes  
Punna Judge.



पाठ्यपुस्तक माला ७१ भाग १ विज्ञान भाग १

जल में पतन - ठीक ठीक

१. जल में पतन

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True Translation

Chatterjee

Passent Registrar