

14/7/62

Bombay, Monday, 30th June 1862.-

In the Sudder



Court

N^o 4359, Special

Yenkapa bin Ishwarapa, resident of Kawulgoonda } Appellant
(original Defendant) _____

~~vs~~
Bushetiapa bin Dewapa, resident of Gudug (original } Respondent
Plaintiff) _____

Rupees 525-- --

The claim in the original suit was to recover damages on a breach of contract respecting a sale of Cotton.

In Appeal, N^o 325 of 1859, the Acting Judge of the Zillah of Dharwar amended with costs on Yenkapa the decree of the Moonsiff of Souduttee, and awarded Bushetiapa the original advance, Rupees 525, with interest at 12 annas per cent up to date of decree.

Dissatisfied, Yenkapa preferred a Special Appeal in the Sudder Court, urging, that the deed of contract being insufficiently stamped, should not have been received in evidence; and that the claim for

for interest should not have been allowed as no notice had been given according to Act XXXII of 1839.

The Court reverse the decree of the Zillah Judge and remand the case in order to his placing it on its original number and deciding on the merits the amount of loss caused to the original Plaintiff Bushetiapa, a fresh decree being passed according to Law. Costs to follow the final decision.

Bill of costs
In the Sudder Court

By Appellant

Stamps for the copies of decrees	6	-	-	-
Stamp for Benkalutrama	2	-	-	-
Stamp for Security bond	2	-	-	-
Stamp for the supplementary memo: of Special Appeal	2	-	-	-
Watta for process	1	-	-	-
1/4 Benkeel's Fee	3	-	15	-
				<u>Ruppes-16-15--</u>

By Respondent

Stamp for Benkalutrama	2	-	-	-
1/4 Benkeel's Fee	3	-	15	-
				<u>Ruppes-5-15--</u>

H. H. Hobson
Clerk
H. H. Weston
act. Secy. Sudder Court

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