

In the High Court of Judicature, Bombay.

Mon day, the 12th day of June 1865.

SPECIAL APPEAL No. 1035 of 1864

Ramesh Padoshet Chondhe
of the Konkan District
(Original Plaintiff)

Appellant

versus

Bhivji Sooryaji deceased his
heirs & widow Bhagirthe and
his son Dada Dechmook &
security Hybutrao bin Govind
Rao Din Kurrao Dechmook of
the Konkan District (Original Defendants)

Respondent

Rs. 99-11-11

The claim in the Original Suit was to recover possession of two fields and a yearly allowance, etc to Plaintiff by Bhivji.

In Appeal No. 695 of 1863 the Assis. Judge of the District of ~~the Konkan~~ at ~~Sanjay~~ pronounced the Decree of the ~~Mr. J. Annell~~ who ~~had thrown out the claim.~~

A Special Appeal was preferred in the High Court on the grounds that (1) the decision of the Assistant judge is contrary to law in that he has misconstrued the deed and other documents in this case in holding that

that the land or property in question was
a service ~~with~~ & not alienable that (2)
the Assistant judge erred in holding that
the vendor was not competent to alienate
the property beyond his life time that (3)
the Assistant judge has not decided
whether Respondents were or were not
minors at the date of the sale to applicant
and that (4) onus of proof has been
erroneously cast on applicant

The Court confirms the decree of the Assist.
Judge
Costs on Appellant.

A. Kinloch Forbes.

A. M. M. M.

MEMORANDUM OF COSTS incurred in Special Appeal No. 1035

of 1864 against the decision of the *assit^t judge* of the District of *Nonkum* and disposed of on the 12th June 1865 by *confirming the same*.

BY THE APPELLANT—

IN THE DISTRICT.

In the <i>Moonsiff's court</i>	18	7	6	✓
In the <i>assit^t judge's court</i>	17	14	6	✓
			36	6

IN THIS COURT.

Stamp for Memorandum of Special Appeal	8	"	"	✓
Stamps for copies of Decree and Judgment	3	"	"	✓
Stamp for Vukalutnama	2	"	"	✓
Stamp of an application to enter the name of the <i>Appellant's</i> heir	2	"	"	✓
Batta for Process and Postage	3	"	"	✓
Sectioner's Fee	1	15	"	✓
Vukeel's Fee	2	15	6	✓
			22	14

Rupees.... 59 4 6 ✓

BY THE RESPONDENTS—

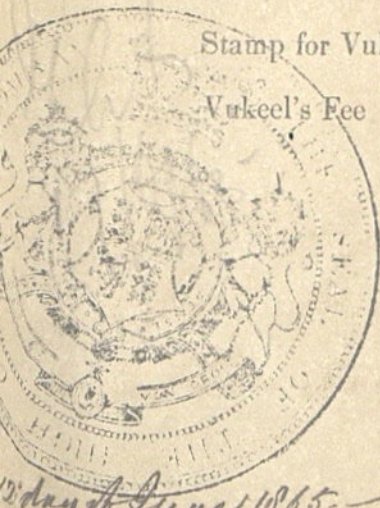
IN THE DISTRICT.

In the <i>Moonsiff's court</i>	7	9	6	✓
In the <i>assit^t judge's court</i>	4	7	6	✓
			12	1

IN THIS COURT.

Stamp for Vukalutnama	"	"	"	
Vukeel's Fee	"	"	"	

Rupees.... 12 1 .. ✓



[Signature]
Sealer

[Signature]
Registrar

12th day of June 1865.