

In the High Court of Judicature, Bombay.

Now day, the 27 day of March 1865.

SPECIAL APPEAL No. 1056 of 1864

Sukharan Chut bin Bapoo
Chut deceased his sons Bhow
& Bapoo the latter a minor by
his guardian & brother Bhow of
the Ahmednugur District
(Original Plaintiffs)

Appellants

versus

Tatya Wilud Rowji Simpi &
Chundrabhagabai wife of Bapoo
Jain of the Ahmednugur Dis-
trict
(Original Defendants)

Respondents

Rs. 300-11-11

The claim in the Original Suit was to

prove possession of a house the property of the plaintiffs let to the Dypt Tatya and by him retained against the town of his lease

In Appeal No. 279

of 1864

the Judge

of the District of Ahmednugur

at the Decree of the Dypt

who

had decreed for the

plaintiffs as against

the Dypt Chundrabhagabai &

her

as against Tatya

A Special Appeal was preferred in the High Court on the grounds that

a substantial error in law has occurred in the investigation of the case which has produced an error in the decision of the case and it is in

in that the ^{dicto} judge was wrong in requiring
documentary evidence to prove possession
that (2) the Respondent's admission clearly
shows that the Appellant was in posses-
-sion in 1850 and therefore the judge was
in error in holding that possession was
not proved, and that (3) the judge was
in error in requiring documents & ac-
-counts to prove the claim.

By
The Court confirm
the decree of this Court below with
costs.

R. Couch

J. Hewitt

MEMORANDUM OF COSTS incurred in Special Appeal No. 1056

of 1864 against the decision of the Judge of the District of Ahmednagar and disposed of on the 27th March 1865 by confirming the same with costs.

BY THE APPELLANT

In the District.		
In the Jud Munsiff's Court	42.4	✓
In the Judge's Court (including V.F.)	9.8	✓
		51.12
In this Court.		
Stamp for Memorandum of Special Appeal	16	✓
Stamps for copies of Decree and Judgment	3.8	✓
Stamp for Vukeelutnama	2	✓
Batta for Process and Postage	3	✓
Sectioner's Fee	8.1.3	✓
Vukeel's Fee	9	✓
		35.9.3
Rupees		87.5.3

BY THE RESPONDENT

In the District.		
In the Jud Munsiff's Court	80.8	✓
In the Judge's Court	27.12	✓
		48.4
In this Court.		
Stamp for Vukeelutnama	2	✓
Vukeel's Fee	9	✓
		11
Rupees		59.4

Handwritten notes:
 1/4
 of 4/10



Handwritten signature: W. D. S.
 Sealer

Handwritten signature: W. D. S.
 Deputy Registrar

27th day of March 1865