

In the High Court of Judicature, Bombay.

Now day, the 20 day of Mar 1865.

SPECIAL APPEAL No. 1069 — of 1864.

Bendya Bap. Mhatra and
Meeja Bhatra Mhatra, and
Tosha Kal Mhatra and
Gunas Das Mhatra and
Halya Gao Mhatra of the Law
Kun District. (Original Defendants)

Appellants

versus

Herya Gao Mhatra and
Churma Mahad Mhatra
and Ambroo Kol Mhatra and
Herya Aur Mhatra, and
Churma Mumb Mhatra
of the Konkan District
(Original Plaintiffs)

Respondents

Rs. 300-0-0

The claim in the Original Suit was to restore the Defendant
from fielding in a field ground the property of the
Plaintiff as lying within the limits of the village of
Kolwad

In Appeal No. 476 of 1864 the ~~Judge~~ Judge
of the District of the Konkan at ~~Samudra~~ Samudra upon appeal
the Decree of the ~~of the court~~ who in Special Appeal
confirmed the decree of the Munsiff at Samudra
who had decreed for the plaintiffs

A Special Appeal was preferred in the High Court on the grounds that (1) there has
been a substantial error in law in
the procedure of the case, which has
produced

produced error in the decision of the
case upon its merits in that although
Ghogi and Soreni fields form a part
of the land of Solave hamlet it
cannot be presumed that the land in
dispute lying between these fields is
a portion of the same hamlet, and
that (2) since it has been held that
Solave is a hamlet of the village of
Wadkhula the Appellate Court was
in error in deciding upon the Plain-
tiffs' exclusive right to the fishing
ground.

In fact against the
order of the District Judge with
Costs

R. Couch
H. C. M.

M. M. M.

MEMORANDUM OF COSTS incurred in Special Appeal No. 1069

of 1864 against the decision of the Judge of the District of the Konkan and disposed of on the 20th March 1865 by confirming the same with Cost.

BY THE APPELLANT—

<i>In the District.</i>			
In the Moonseiff's Court (including Vukil's fee)	20 6 "		
In the Judge's Court	46 7 6	66 13 6	
<i>In this Court.</i>			
Stamp for Memorandum of Special Appeal	16 "		
Stamps for copies of Decree and Judgment	3 "		
Stamp for ^{two} Vukeelutnama	4 "		
Batta for Process and Postage	5 "		
Sectioner's Fee	1 9 "		
Vukeel's Fee	9 "	38 9 "	
	Rupees	105 6 6	

BY THE RESPONDENT.

<i>In the District.</i>			
In the Moonseiff's Court	38 "		
In the Judge's Court	27 12 "	65 12 "	
<i>In this Court.</i>			
Stamp for Vukeelutnama	2 "		
Vukeel's Fee	9 "	11 "	
	Rupees	76 12 "	

at D. 9. 8.



W. L. S.

Sealer

J. West
Registrar

The 20th day of March 1865.