

In the High Court of Judicature, Bombay.

~~By~~ day, the ~~2nd~~ day of ~~July~~ 186 ~~4~~  
Tuesday the 21<sup>st</sup> day of February 1865  
SPECIAL APPEAL No. 1018 of 1864

Gurizashi bin Pursh-  
-ram Zoshi of the Put-  
-nagiri Division of  
of the Konkan Dis-  
-trict (Original Plaintiff) } Appellant

versus

Jegunnath and Balaji  
Dannodher Darnad  
of the Putnagiri Di-  
-vision of the Konkan  
District (Original Defendants) } Respondent

Rs. 500-0-0

The claim in the Original Suit was to recover possession  
of an ancestral Thicket and house wh.  
Defendant had occupied under an agreement  
from Plaintiff and now refused to give up.

In Appeal No. 54 of 1863 the ~~Chief Justice~~  
of the District of the Konkan at the District of Putnagiri reversed  
the Decree of the ~~Chief Justice~~ who had awarded the claim,  
and throw out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) a  
substantial error in law in the in-  
-vestigation of the case has been  
made

made which has produced error in  
the decision of the case upon its  
merits, in that the Respondent is  
stopped from questioning appellants'  
title to the property in question in  
as much as he has attested the do-  
= cument N<sup>o</sup>. 10 which contains a state-  
= ment that the property in question  
belongs to the appellant: and that (2) the  
documents N<sup>os</sup>. 10 and 11 shew that they  
were in the custody of the Court at  
the time the appellants' house was burnt  
in the fire, the Acting Senior Assistant  
Judge was in error in holding that  
there is nothing to shew to that effect.

The Court confirms the decree of the Sen<sup>r</sup>. Assis<sup>t</sup>.  
Judge.

Costs on Special Appellant.

Attest: Thomas Forbes,  
Att. Gen. S. C.

MEMORANDUM OF COSTS incurred in Special Appeal No. 118

of 1864 against the decision of the *Agst. Apt. Judge* of the District of the *Kurkhim* <sup>*Putnagar*</sup> and disposed of on the 28<sup>th</sup> of February 1865 by *confirming the same.*

BY THE APPELLANT—

*In the District.*

In the *Mousiff's Court* ..... 56 15 " ✓  
 In the *Senior Apt. Judge's Co.* ..... 15 8 " ✓  
*In this Court.*

Stamp for Memorandum of Special Appeal ..... 32 " ✓  
 Stamps for copies of Decree and Judgment ..... 3 " ✓  
 Stamp for Vukeelutnama ..... 2 " ✓  
 Batta for Process and Postage ..... 2 " ✓  
 Sectioner's Fee ..... 1 16 ✓  
 Vukeel's Fee ..... 15 " ✓

			727	✓
			5516	✓
Rupees....			12786	✓

BY THE RESPONDENT

*In the District.*

In the *Mousiff's Court (including V. Fee)* 21 93 ✓  
 In the *Agst. Judge's Court* ..... 49 13 " ✓  
*In this Court.*

Stamp for Vukeelutnama ..... 2 " ✓  
 Vukeel's Fee ..... 15 " ✓

			7163	✓
			17	✓
Rupees....			8863	✓



*[Handwritten signature]*

*[Handwritten signature]*  
 Registrar

*[Handwritten signature]*  
 Sealers  
 28<sup>th</sup> Feb 1865