

Satara

In the High Court of Judicature, Bombay.

Monday, the 18th day of July 1864

SPECIAL APPEAL No. 137 OF 1864.

Khunderav Bulunt Chitambar
Inamdar of the Satara District } Appellant,

(Original Plaintiff)

versus

Mulhari alias Babaji and Daji
and Narayan and Kashi Gopala
bin Sagroo Surkhpal of the
Satara District } Respondents,

(Original Defendants)

Rs. 240-8-11

The claim in the Original Suit was to receive possession
of Inam Land, & rent.

In Appeal No. 186 of 1863 the Judge
of the District of Satara at Satara Confirmed
the Decree of the Mooniff who threw out the claim

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the District Judge is contrary to law
in that he has misconstrued the agreement
sued on in holding that it does not shew when
the

the land in question was to be given up. that
(2) the District Judge has erroneously held under
his interpretation of the document sued on
that because the document in question is
silent as to when the land in question is to
be given up the Plaintiff was not entitled
to recover. that (3) the District Judge has
erroneously held that because Appellant
could not show the holding of Defendant
(Respondent), that therefore Appellant was
not entitled to recover. that (4) the ~~District~~^{District}
Judge erroneously held the claim unproved
although ^{he} has virtually held the agreement
sued on to be genuine, and the same has
been proved in the regular way.

Decree reversed - and the case
demanded for the Judge to
try the questions of the proprietary
right of the Plaintiff to the
land - and also his right
to the rent - and generally
to hear and give a judgment
upon the whole case on the
merits. Costs to abide the
final decision. Joseph Arnold
Clerk of the Court.
J. M. Marden

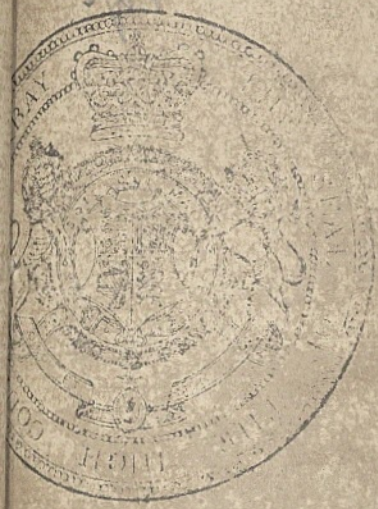
Bill of Costs
In this Court

By the Appellant

Stamps for Copies of decree & judgt ⁿ	3. 8. "	
Stamp for vakalatnama	2. " "	
Batta for Process and Postage	3. 15. "	
Auctioner's Fee	1. 13. "	
Vakalat Fee one fourth	2. " 5. "	13. 4. 5.
		<u>Ruppes 13. 4. 5.</u>

By the Respondent

Stamp for vakalatnama	2. " "	
Vakalat Fee one fourth	2. " 5. "	4. " 5.
		<u>Ruppes 4. " 5.</u>



L. G. Mune
acting Registrar

L. G. Mune
Sealer

The 10th day of July 1864.

I send a certificate on Her Majesty's Treasury
Bank of Bombay for the refund of Rupees sixteen
(16) being the value of the Stamp used for
Special appeal in this case.

18th July 1864

Gyune
Acting Registrar

Received
To be transacted
19/7/64
transacted

Ed
1864