

In the High Court of Judicature, Bombay.

Monday, the 4 day of July 1864

SPECIAL APPEAL No. 145 OF 1864.

Krishu Kuled Nitaji Patil
of the Solapur District

Appellant

(Original Defendant)

versus

Deoba Kuled Bhugwunta
and Jankoba Kuled Sudasht
and Sarajee Kuled Kala
Shawdhuri of the Solapur District
(Original Plaintiffs)

Respondents.

Rs. 299-11-9³/₄

The claim in the Original Suit was to establish their claim to a share of the Miras field

In Appeal No. 164 of 1864 the Judge at Solapur on a remand reversed the Decree of the Court at Barce who had thrown out the claim of the appellant and awarded the claim to 3/4 of the share. leaving 1/5 of the field.

A Special Appeal was preferred in the High Court on the grounds that (1) a substantial error in law in the investigation of the case has been made which has produced error in the decision of the case upon

its

its merits in that the District judge was in error in throwing out the claim on the ground that there is no evidence to prove that the descendants of Viltapee's elder wife took a greater portion of the deceased's estates or that property was taken by his widows alike though they had sons whereas the Moonciff not having laid down a point for trial on the subject no evidence was or could be offered on the point the District judge was therefore in error in reversing the Moonciff's decree without giving opportunities to the parties to produce evidence; that (2) there is no evidence in the case to shew that any property fell to Shety's share or that he was in possession of any property of which Appellants are in possession the District judge was therefore in error in admitting the claim that (3) the Respondents having admitted in documents Nos 41, 42, 43 and 44 that there was a division in the family and $\frac{2}{3}$ shares of the property fell to Appellants' branch of the family of which he is in possession the District judge was in error in holding that Appellants' ancestor received only $\frac{1}{5}$ share at the time of the division that (4) the Respondents having admitted the above documents that

they have claims only to 20 Gontas of land and the other is in possession of the respective sharers according to their shares the District Judge was in error in admitting the claim. that 51a material question at issue is left undecided vizt have the Plaintiffs proved that they received their share of Shety's land up to $\frac{1269}{1859+10}$. Fully from the Appellant as alleged in the Plaint and that (6) the Appellant being in possession of the property the onus of proof should have been laid upon the Respondents.

The Court enforces the decree of the D. Judge with costs

~~H. H. Fisher~~

Lawrence & Papenday
Bill of Costs

By the Appellant

In the District

In the Moonuff's Court (including 1/2 Fee) — 22. 8. 10.

Do Judge's Court (including 1/2 Fee) — 14. 3. 9.

36. 12. 7.

Came over paper — 36. 12. 7.

Carried over Rs. 36.12.7

Received 3
To be transal
5/11

In this Court

Stamp for Memo. of Special app ^l	16.00
Stamps for Copies of decree & judgment	5.80
D ^o for Vukialatnamas (two)	4.00
Patwa for Process and Postage	2.15
Sectioner's Fee	13.90
Vukial's Fee	8.15.10
	<u>38.4.7.</u>
	<u>Rupees - 75.1.2.</u>

Transalate
B. H. D. Nay
9th July

By the Respondents
In the District

In the Moonjeffs Court	39.4.7.
D ^o Judges Court	45.7.6.
	<u>85.6.1.</u>

In this Court

Stamp for Vukialatnama	2.00
Vukial's Fee	8.15.10
	<u>10.15.10</u>
	<u>Rupees - 96.5.11.</u>



Chynn
Acting Registrar

Chynn
Sealer

The 4th day of July 1064.

मुंघर्षेची प्रक्यायाची मारी घटनेत.

~~सोम वार तारीखी सधे पुनर १७१८६४~~

~~सोही चरुची घनघर १४२ १७१८६४~~

~~इमानाम परलेपे पावरीचे मनु परिकरि मरुच -~~ श्री श्री सं.

(मुळ. प्रामाणी)

प्रतीपक्षी.

~~वेदद्वयम भाषांती १४१८६४ मरुच~~

~~मरुचयम मरुचची मरुचो मरुच परिकरि मरुच -~~ श्री श्री सं.

(मुळ. प्रामाणी)

सधे २००११०३

~~सोही चरुची घनघर १४२ १७१८६४ मरुच~~

~~मरुचयम मरुचची मरुचो मरुच परिकरि मरुच -~~

~~इमानाम परलेपे पावरीचे मनु परिकरि मरुच -~~

~~वेदद्वयम भाषांती १४१८६४ मरुच~~

~~मरुचयम मरुचची मरुचो मरुच परिकरि मरुच -~~

महाराष्ट्र राज्य.

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

१) दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

13.11.13 = 13.11.13

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

दिल्ली संसदीय सभा परिसर में १९५५-५६ में

गुणसंज्ञासूत्रे (३) ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

१३.११.१३ = १० = १३.११.१३

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

ध्यायः १० संज्ञासूत्रे ५ अक्षरवर्णः १२

Handwritten text at the top of the page, possibly a title or header.

Handwritten text below the first line.

Handwritten text in the middle section.

Handwritten text in the middle section.

(A true translation)

By the author H. Bhargava.

Translator

Handwritten text below the translator line.

Handwritten text in the left column.

3269260

Handwritten text below the number.

226690

Handwritten text below the number.

Handwritten text below the number.

986360

Handwritten text below the number.

Handwritten text below the number.

3269260

326860

Handwritten text below the number.

90

Handwritten text below the number.

Handwritten text below the number.

260

Handwritten text below the number.

Handwritten text below the number.

Handwritten text in the right column.

226690

Handwritten text below the number.

3269860

Handwritten text below the number.

826060

Handwritten text below the number.

226690

9069260

Handwritten text below the number.

Handwritten text below the number.

669260

Handwritten text below the number.

9069260

226690

