

In the High Court of Judicature, Bombay.

Thursday, the 14 day of July 1864

SPECIAL APPEAL No. 149 of 1864.

Nendookta Satharam, deceased his widow and heir Mookhumbabai ^{by} her agent Amerchunt Moundaram absent in his native country her other agent Jitunul bin Chenniraw Meerwall of the Solapoor District (Original Plaintiff) Appellant

versus

Goondaya Puramuni, deceased his Grandson and manager of his Shop Dadiya Wulud Purbhoppa Permal - nee of the Solapoor District (Original Defendant) Respondent

Rs. 1187-15-3

The claim in the Original Suit was to ^{move} Rs. 1107-15-3 on a draft drawn on one ^{the} ~~the~~ ^{of} ~~of~~ ^{to} ~~to~~ Plaintiff by Goondaya, which was dishonoured on presentation

In Appeal No. 20 of 1860 the ^{Judge} ~~Judge~~ of the District of ^{Solapoor} ~~Solapoor~~ at ^{Solapoor} ~~Solapoor~~ the Decree of the ^{J. K. K. K.} ~~J. K. K. K.~~ who ^{had thrown out the} ~~had thrown out the~~ claim. ^{confirmed} ~~confirmed~~

A Special Appeal was preferred in the High Court on the grounds that ^(1st) ~~(1st)~~ the decision of the District Judge is contrary to law in that he erred in holding that under the circumstances Respondent was not liable for the default of the party on whom the Hoondaya

in question was drawn that (2) there has been a substantial error in law in the investigation of the case which has produced error in the decision of the case upon its merits that the District Judge has not fully determined the point on which the case was remanded for retrial by the High Court and that (3) the District Judge has erroneously allowed the fact of the absence of fraud on the part of Respondent when endorsing the Bond in question to ^{appellant} ~~respondent~~ to have any weight whatever in fixing the responsibility of the different parties to the transaction.

The Court find that the D. J. has reversed his decision on the material question which he was in this Court's decree of the 24th Sept. 1882. Directed to decide, namely whether the original Plaintiff under agreement should be due to the Drawee.

The Decree ^{of the D. J.} is therefore reversed & the case remanded that this point may be decided and a new Decree passed. Costs to follow the final decision.

W. Newton
Solicitor General

Bill of costs
In this Court

By the appellants

Stamps for copies of decree & judgment 7-8-

Stamp for vukalutnama 2--

Batta for Process and Postage 2-7-

Sectioner's Fee --9-

Vukel's Fee one fourth 8-14-6

21-6-6

Ppees 21-6-6

By the Respondent.

Stamp for vukalutnama 2--

Vukel's Fee one fourth 8-14-6

10-14-6

Ppees 10-14-6



L. J. J. J.
Acting Registrar

L. J. J. J.
Sealer

The 14th day of July 1864.

Received
To be
transf
10
18

I issued a certificate on the Treasury of the
Collector of Bombay for the refund of
Rupees thirty two (32) being the value of the
Stamp used for special appeal in this case.

14th July 1864

I issued a certificate on Her Majesty's Treasury
Bank of Bombay for the refund of Rupees fifty
(50) being the value of the Stamp used for special
appeal in this case.

14th July 1864

G. M. M.
Acting Registrar

Ed
M. M.

मुंबई येथील प्रजापालिकाची मर्यादा अद्यतनात.

गुप्त नगरातील १४ मध्ये ३००० - ७१९६४

सोही अडबळी घनघर १४९ ७१९६४

~~१. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~
~~२. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~
~~३. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~
~~४. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

(मुळ-१४९६४)

श्री. श्री. श्री.

प्रतीपक्षी.

~~१. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~
~~२. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~
~~३. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

(मुळ-१४९६४)

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समवेत-११६०६१२६३

~~१. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

~~२. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

~~३. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

~~४. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

~~५. १४९६४ मध्ये प्रजापालिकाच्या मर्यादा अद्यतनात~~

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Translated by
Bilshookan
Francis

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~~ममिभवाडीरेवमाडिन्~~

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296666

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True Translation

W. S. Arnold

at
1st Atta Registrar