

17191

Satara

In the High Court of Judicature, Bombay.

Monday, the 21 day of July 1864

SPECIAL APPEAL No. 173 of 1864.

Sudoo Wuled Panna
Mang of the Satara
District — (Original Defendant)

Appellant

versus

Pooji bin Hybuti
Patil of the Satara
District — (Original Plaintiff)

Respondent

Rs. 4-3-2-

The claim in the Original Suit was to *recover possession*
of some land

In Appeal No. *203* of 1863 the *Judge*
of the District of *Satara* at *Satara* reversed
the Decree of the *Muzaf Bunder* who *had thrown out the*
claim

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

thereof upon its merits in that al-
though the respondent himself ad-
mitted that he had got the land
in dispute from Dhondoo who had
derived it from the appellant, the
appellate court, against his own
commission, decided that he had de-
rived it from the Enamdar, and
so awarded his claim.

2^d That the land being originally
acquired by the appellant, and being
moreover, in his possession, the
appellate court, therefore, should not
have ordered him to give up his
possession in absence of a Parganama.

3^d That neither the respondent had
any right to take the appellant's land
from Dhondoo nor had Dhondoo
any right to give it up to the Res-
pondent, it was therefore an error
to have laid the onus of such an
unauthorized transaction on the
appellant.

The court reverse the
decrees of the D. J. & confirm that
of the Hoosiey. Costs on app.
Respondent

H. P. 14. Tucker
Lawrence Wapondy

MEMORANDUM OF COSTS incurred in Special Appeal No. 173

of 1864 against the decision of the Judge of the District of Satara and disposed of on the 21st July 1864 by confirming the Moonsiff's ~~order~~ ^{same of the}

BY THE APPELLANT—

In the District.				
In the Moonsiff's Court	8. 6. 6.			
In the Judge's Court	2. 4. 4.			
In this Court.				10. 10. 10.
Stamp for Memorandum of Special Appeal	1. " "			
Stamps for copies of Decree and Judgment	2. 8. "			
Stamp for Vukeelutnama	2. " "			
Batta for Process and Postage	1. 1. "			
Sectioner's Fee	2. 1. 3.			
Vukeel's Fee	" 2. "			
				8. 12. 2.
		Rupees.		19. 7. 1.

BY THE RESPONDENT.

In the District.				
In the Moonsiff's Court	16. " 6.			
In the Judge's Court	6. " 6.			
In this Court.				22. 1. "
Stamp for Vukeelutnama	2. " "			
Vukeel's Fee	" 2. "			
				2. 2. "
		Rupees.		24. 3. "

G. M. M.
Acting Registrar

G. M. M.
The 21 day of July 1864