

In the High Court of Judicature, Bombay.

Thursday, the 6th day of October 1864

SPECIAL APPEAL No. 2/3 of 1864.

Vitthal Jugunnath Shet Goozur
of the Konkun District

Appellant

(Original Defendant)

versus

Bapooji and Apaji Govind
Goornaste Surdeshmookh of the
Konkun District

Respondents.

(Original Plaintiffs)

Rs. 25/5.

The claim in the Original Suit was to recover in accordance with the terms of an agreement 52½ Bhejas & ½ Pande of land.

^{cross}
In Appeal No. 19X46 of 1863 the Acting Judge of the District of the Konkun at ^{Tanjore} confirmed the Decree of the ^{Magistrate of Alibay} who had awarded for ^{the Plaintiff} conditionally on his paying ^{Rs 624-11-2}

A Special Appeal was preferred in the High Court on the grounds that ~~the~~

the decision of the acting judge is contrary to law in that ⁽¹⁾ the Lower Court has admitted parol evidence to add to written evidence

evidence (b) the Lower Court has virtually
opened a mortgage foreclosed by a decree
of the ^{late} Sudder Court.

The Court reverses the decrees of both the lower
Courts, with costs.

J. Newton.

M. M. M.

MEMORANDUM OF COSTS incurred in Special Appeal No. 213 .

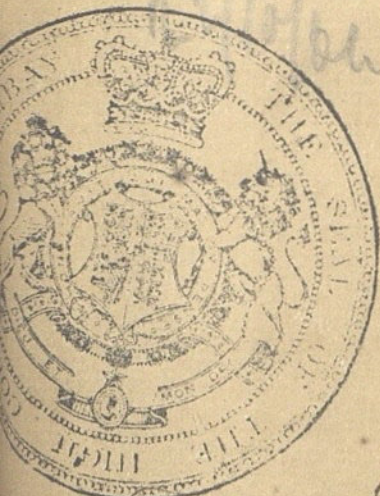
of 186 4. against the decision of the *Acting Judge* of the District of *The Konthum* and disposed of on the *6th Oct^r 1864* by *reversing the Decrees of both the lower Courts with costs*.

BY THE APPELLANT—

<i>In the District.</i>			
In the <i>Moonsiff's Court</i>	28 55	✓	
In the <i>Judges Court</i>	52 13 4	✓	
			81. 29 ✓
<i>In this Court.</i>			
Stamp for Memorandum of Special Appeal	16 " "	✓	
Stamps for copies of Decree and Judgment	4 8 " "	✓	
Stamp for Vukeelutnama	2 " "	✓	
Batta for Process and Postage	3 12 " "	✓	
Sectioner's Fee	3 3 9	✓	
Vukeel's Fee	7 8 8	✓	39 " 55 ✓
			Rupees.... 118 32 ✓

BY THE RESPONDENT.

<i>In the District.</i>			
In the <i>Moonsiff's Court</i>	40 62	✓	
In the <i>Judges Court</i>	17 14	✓	
			57 76 ✓
<i>In this Court.</i>			
Stamp for Vukeelutnama	2 " "	✓	
Vukeel's Fee	7 8 8	✓	9 88 ✓
			Rupees.... 67 " 2 ✓



[Handwritten Signature]

For Sealer

The 6th day of October 1864

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For Acting Register