

In the High Court of Judicature, Bombay.

Thursday, the 4th day of August 1864.

SPECIAL APPEAL No. 221 of 1864

Hari Vishnu Gaudhulekar
of the Putwadgi Division Appellant,
of the Kankur District
_____ (Original Defendant)

versus

Lakshman Prishu Gou
= Dhulekar of the Putwadgi
Division of the Kankur Respondent,
District (Original Plaintiff)

Rs. 18-13-5

The claim in the Original Suit was to be put in possession
of certain fields.

In Appeal No. 56 of 1861 the Act. Sec. Assist. Judge
of the District of Ponkan at Putwadgi
the Decree of the Judge of the District who had thrown out
the claim and awarded possession
of a part of the fields in his favor

A Special Appeal was preferred in the High Court on the grounds that there
has been a substantial error
in law in the procedure of the case
and

and which has produced error in
the decision of the Case on its merits
in that

A The plaint has not been properly
valued

B No Commissioner was appointed
to inspect the locus in quo as applied
for

C There is nothing in the record of the
Case & warrant the statement that
Appellant admitted that there had
never been a division of the family

D The Courts below admitted the
accounts filed in Appeal No. 124
of 880, the same not being admissible
in evidence in this suit

E The Acting Senior Assistant Judge
misconstrued the said accounts
in holding them to refer to the fields
in dispute.

F That the Acting Senior Assistant
Judge has misunderstood the nature
of the claim in holding that the
Plaintiff claims a share in the
fields on the ground that the family
was undivided and that the fields are
the common property of the family

G That there is nothing on the record of
the Case & warrant the statement
that Appellant admitted that Subohunum
and his branch pay assessment for the
fields in dispute.

The Court confirms the decree of the
Seneca Ass. Judge with costs

Joseph Arnold

Hewton.

MEMORANDUM OF COSTS incurred in Special Appeal No. 221

of 1864 against the decision of the *Acty Senior Sp^l Judge* of the District of *the Kankun* and disposed of on the *14th August 1864* by *confirming the same with costs.*

BY THE APPELLANT—

<i>In the District.</i>		
In the <i>Moonisiff's Court</i>	38 14 6	
In the <i>Acty Senior Sp^l Judge's Court</i>	1 9 "	
		40 7 6
<i>In this Court.</i>		
Stamp for Memorandum of Special Appeal	2 " "	
Stamps for copies of Decree and Judgment	3 " "	
Stamp for Vukeelutnama	2 " "	
Batta for Process and Postage	" 15 "	
Sectioner's Fee	1 12 9	
Vukeel's Fee	" 9 "	
		10 4 9
Rupees.....		50 12 3

BY THE RESPONDENT.

<i>In the District.</i>		
In the <i>Moonisiff's Court (including v. Fee)</i>	45 3 6	
In the <i>Acty Senior Sp^l Judge's Court</i>	5 5 "	
		50 8 6
<i>In this Court.</i>		
Stamp for Vukeelutnama	2 " "	
Vukeel's Fee	" 9 "	
		2 9 "
Rupees.....		53 1 6



Gune
Sealer

Gune
Acting Registrar

The 14th day of August 1864