

In the High Court of Judicature, Bombay.

Thurs day, the 28<sup>th</sup> day of July 1864.

SPECIAL APPEAL No. 222 of 1864.

Babaji Wulub Na.  
= Shoa Sheh of the Ahmed-  
nugur District (Original Plaintiff)

Appellant,

versus

Anunda Shoa, and  
Bapoo Wulub Babaji  
of the Ahmednugur  
District — (Original Defendants)

Respondent,

Rs. 10-4-0-

The claim in the Original Suit was to recover possession of a field.

In Appeal No. 219 of 1863 the Judge of the District of Ahmednugur at Ahmednugur confirmed the Decree of the Dist. of Yeola who had thrown out the claim.

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

the decision of the case in its merits in that,

A

The Zillah Judge ought not to have rejected exhibit N<sup>o</sup> 7 because it was not certified by the Inamdar.

B

The <sup>District</sup> Judge did not enquire whether the Respondents had proved that they held possession of the land in dispute for more than 30 years as proprietors.

The Court confirms the decree of the Dist Judge with costs on the Appellant.

H. M. Tucker

J. M. Madh...

MEMORANDUM OF COSTS incurred in Special Appeal No. 222

of 1864 against the decision of the Judge \_\_\_\_\_ of the District of *Ahmadnagar* and disposed of on the 28<sup>th</sup> July 1864 by *confirming the same*.

BY THE APPELLANT—

In the District.			
In the <i>Moonseiff's Court</i> (including V. Fee).....	5. 2 11		
In the <i>Judge's Court</i> (including V. Fee).....	2 4 11		
In this Court.			7. 7. 10
Stamp for Memorandum of Special Appeal .....	1 " "		
Stamps for copies of Decree and Judgment .....	3 " "		
Stamp for Vukeelutnama .....	2 " "		
Batta for Process and Postage .....	1 6 "		
Sectioner's Fee .....	1. 5 9		
Vukeel's Fee .....	" 4 11		9 " 8
		Rupees.....	16 8 6

BY THE RESPONDENT

In the District.			
In the <i>Moonseiff's Court</i> .....	2. 10 10		
In the <i>Judge's Court</i> .....	1 4 11		
In this Court.			3 15 9
Stamp for Vukeelutnama .....	2 " "		
Vukeel's Fee .....	" 4 11		2 4 11
		Rupees.....	6. 4 8



*U. M. ...*  
Acting Registrar

*U. M. ...*

Sealer  
The 28<sup>th</sup> day of July 1864