

In the High Court of Judicature, Bombay.

Now day, the 4 day of April 1864

SPECIAL APPEAL No. 23 OF 1864

Damodhar Govind Kumbhar
of the Konkan District } Appellant
(Original Defendant)

versus

Abdula alias Bala Mubud
Mudas Hoosen of the Konkan
District } Respondent
(Original Plaintiff)

Rs. 101-7-9.

The claim in the Original Suit was to *recover possession*
of certain land and *also* ~~also~~ *wrongfully occupied*
by the Dyt and ~~by~~ ^{separ} *but due on the same*

In Appeal No. 599 of 1862 the *By Judge modified*
of the District of *the Konkan* at *Tanna*
the Decree of the *M. B. Khirki* who *had awarded the property*
and a portion of the rent by *disallowing the*
~~claim~~ *claim for rent*

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 of the case
upon

upon its merits in that the Acting
 Judge has given no opinion as to whether
 Plaintiff had established his title
 to the land or the worth of the house in
 question, Appellant being entitled to
 the decision of this question of fact by
 the appellate court: & that (2) the Acting
 Judge has failed to decide the questions
 of prescriptive title to the land afore-
 said pleaded by Appellant.

The Court reversed
 the decree of the Court below by
 allowing the claim for rent & so
 awarded by the Moonsiff in
 the original suit. Costs on
 Appellant ~~Abdoolah Danoodhur~~

Abineach Forbes,
 R. Coach

Bill of costs
 By the appellant
 In the District

In the Moonsiff's Court ————— 9 15 9

In the Judge's Court ————— 14 6 5

24 6 2

Corroborated ————— 24 6 2

Brought over Rupees ————— 24 6.2

In this Court

Stamp for Memo. of Special Appeal	8 u.
Stamps for Copies of dect. & judgment	4 u.
Stamp for Vukalutuanua	2 u.
Patte for Proceps and Postage	1.7 u.
Sectioner's Fee	1 15.3.
Vukuel's Fee	3 u. 9
	<u>20.7 u.</u>

Rupees 44.13.2

By the Respondent
In the District

In the Transsiffi Court	40.8 u.
In Judges Court	5.2.5.
	<u>45.10.3</u>

In this Court

Stamp for Vukalutuanua	2 u.
Vukuel's Fee	3 u. 9
	<u>5 u. 9</u>

Rupees — 50.11.2



West
Registrar

West
Sealer

The 4th day of April 1834