

In the High Court of Judicature, Bombay.

Tues day, the 9th day of August 1864.

SPECIAL APPEAL No. 238 of 1864

Atmarain Govind Prubhos of the
Rutnagiri Division of the
Konkan District

Appellant

(Original Defendant)

versus

Daji Apa Prubhos Ingle of the
Rutnagiri Division of the
Konkan District

Respondent

(Original Plaintiff)

Rs. 1-8-3-

The claim in the Original Suit was to establish right to
& recover possession of a 1/6 share
of a thikan

In Appeal No. 238 of 1863 the Sen. Assist. Judge
of the District of Konkan at Rutnagiri confirmed
the Decree of the Juff of Maloan who had awarded the
claim

A Special Appeal was preferred in the High Court on the grounds that (1) the

decision of the Senior Assistant Judge is con-
trary to law in that the Sen. Assist. Judge

Appellant

~~Assistant Judge~~ has misconstrued the
Deed of Purchase and other documents
and given a construction it will not bear
to the fact that the Bagayet lands
surrounds on three sides the Jerayet in
holding that both Jerayet and Bagayet
from one Chickan that (2) granting
the Bagayet and Jerayet land was
one Chickan it was no ground on
which to award in favor of Res-
pondent and that (3) there has
^{in the investigation of the case has been made which has produced}
been a substantial error in law ^{in the de}
^{of the c}
^{the m}
in that the Senior Assistant Judge
has given no opinion on the question
of prescriptive title to the land in
dispute pleaded by Appellant.

The Court confirms
the decree of the ~~Senior~~ Assistant Judge
with costs on the Special
Appellant.

H. H. Fisher

Assistant Appellate

MEMORANDUM OF COSTS incurred in Special Appeal No. 238

of 186 4 against the decision of the Senior Appellate Judge of the District of the Konkan and disposed of on the 9 August 1864 by confirming the same with costs

BY THE APPELLANT—

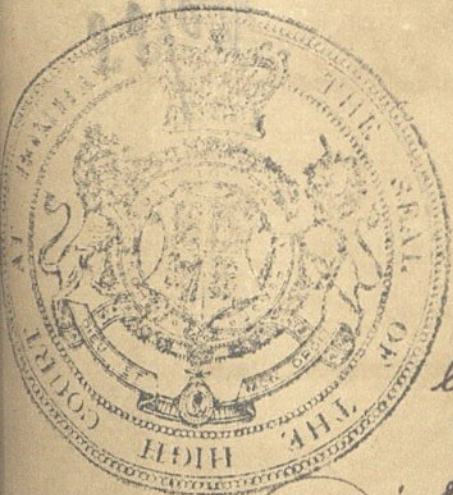
In the District.

In the Moonseiff's Court	5	8		
In the Senior Appellate Judge's Court	1	15	9	
				7 79
In this Court.				
Stamp for Memorandum of Special Appeal	1			
Stamps for copies of Decree and Judgment	3			
Stamp for Vukeelutnama	2			
Batta for Process and Postage		15		
Sectioner's Fee		11	6	
Vukeel's Fee			9	
				7 113
Rupees....				15 3

BY THE RESPONDENT.

In the District.

In the Moonseiff's Court	4	8	9	
In the Senior Appellate Judge's Court			8	9
				5 16
In this Court.				
Stamp for Vukeelutnama	2			
Vukeel's Fee			9	
				2 9
Rupees....				7 23



Spence
Sealer

Spence
Acting Registrar

The 9th day of August 1864