

In the High Court of Judicature, Bombay.

Monday, the 28 day of March 1864.

SPECIAL APPEAL No. 24 OF 1864.

Suk Sawunt bin Mahad
Sawunt of the Putnagiri Division of the Konkun District
Appellant
Original Defendants

versus

Lukhmun Baboorav Bhande
of the Putnagiri Division of the Konkun District.
Respondent
Original Plaintiff

Rs. 249-11-11

The claim in the Original Suit was to obtain possession on depositing the amount of the mortgage of certain land purchased by the plaintiff from the mortgagee.

In Appeal No. 73 of 1863 the Senior Judge of the District of the Konkun at Tanjur returned the Decree of the Judge at Malabar who had thrown out the claim to and decreed that the plaintiff should receive possession on payment of Rs. 125.

A Special Appeal was preferred in the High Court on the grounds that (1) there has been a substantial error in law in that the Senior Assistant Judge proceeded to judgment without first receiving all the evidence cited by the appellant that

that (2) the ^{Senior} Assistant Judge was in error
 in holding that the evidence adduced by
 appellant and not received would not
 affect the merits of the case.

By
 The Court Comprovis
 The decree of the Court below
 with costs
 A. Kinloch Forbes S.
 R. Cochrane

Bill of Costs
 By the Appellant
 In the District

In the Moonseiff's Court ————— 15.12.9
 De Senior Assistant Judge's Court ————— 7.15.6
23.12.3

In this Court

Stamp for memo. of special app^l ————— 16 " "
 Stamps for Copies of decree & judgment ————— 3 " "
 Stamp for Vukatutuaa ————— 2 " "
 Batta for Process and Postage ————— 1-7 "
 Sectioner's Fee ————— " 14.3.
 Vukuel's Fee. ————— 7.7.6
30.12.9
Rupees - 54.9."

By the Respondent
 In the District

In the Moonseiff's Court (including Vukuel's Fee) ————— 31.6.6
 De Senior Assistant Judge's Court ————— 25.11.6
57.2 "
 Carried over Rs. ————— 57.2 "

Brought over Rupees ————— 572¹¹
 In this office Court
 Stamp for Vukabutuama ————— 2¹¹
 Vukabutu Fee. ————— 7.7.6 976
Rupees. 669.6.



R West
 Sealer

R West
 Registrar

The 28th day of March 1864.