

Konkani

In the High Court of Judicature, Bombay.

Monday, the 8th day of August—1864

SPECIAL APPEAL No. 246 of 1864

*Huri Wamun Jog of the
Konkani District.*

Appellant

(Original Plaintiff)

versus

*Naro Wamun and Wassoder Gun-
gadher and Govind Gungadher Jog
deceased, hisson and heir Wamun of
the Ahmednagar District*

Respondents

(Original Defendants)

Rs. 391-10-8-

The claim in the Original Suit was to recover a $\frac{1}{3}$ share of family property.

In Appeal No. 316 of 1863 the Acting Judge of the District of Konkani at Thaurale reversed the Decree of the Jiff of Blawdy who had partly awarded the claim viz. $\frac{1}{4}$ share of a shop and Rs 91-10-8 as rent of the same, and threw it out with costs.

A Special Appeal was preferred in the High Court on the grounds that ~~it~~ there has been a substantial error in law in the investigation of the case which has produced error.

error in the decision of the case upon its merits
in that the onus of proof has been thrown
on the wrong party viz; Appellant.

The Court affirms the Decree of
the Acting District Judge with costs

Joseph Arnold

Newton.

A. M. M. M. M.

MEMORANDUM OF COSTS incurred in Special Appeal No. 246.

of 1864 against the decision of the *Acting Judge*, of the District of *the Moulam* and disposed of on the *8 August 1864* by *Confirming the same with costs.*

BY THE APPELLANT—

<i>In the District.</i>			
In the <i>Moonseiff's Court</i>	103	3	00 ✓
In the <i>Acting Judge's Courts</i>	12	12	00 ✓
<i>In this Court.</i>			115.15 00 ✓
Stamp for Memorandum of Special Appeal	32	00	00 ✓
Stamps for copies of Decree and Judgment	3	8	00 ✓
Stamp for Vukeelutnamas <i>two</i>	4	00	00 ✓
Batta for Process and Postage	2	10	00 ✓
Sectioner's Fee	2	5	00 ✓
Vukeel's Fee	11	12	00 ✓
			56.3 00 ✓
			Rupees.... 172.2 00 ✓

BY THE RESPONDENT.

<i>In the District.</i>			
In the <i>Moonseiff's Court</i>	85	8	00 ✓
In the <i>Acting Judge's Courts</i>	45	15	00 ✓
<i>In this Court.</i>			131.7 00 ✓
Stamp for Vukeelutnama	2	00	00 ✓
Vukeel's Fee	11	12	00 ✓
			13.12 00 ✓
			Rupees.... 145.3 00 ✓



C. V. S. S.
Sealer

C. V. S. S.
Acting Registrar

10th day of August 1864.