

Poona & Solapur

In the High Court of Judicature, Bombay.

7th day, the 23rd day of December 1864.

SPECIAL APPEAL No. 251 of 1864

Shaba wulud Munoo Halalkhor
of the Poona District

Appellant

(Original Defendant)

versus

Sooba wulud Mahadoo and Laloo
wulud Bapoo Halalkhor of
the Poona District

Respondents

(Original Plaintiffs)

Rs. 4 — " — " —

The claim in the Original Suit was to recover Rs. 4 on account
of manpan

In Appeal No. 1020 — of 1862 the Judge
of the District of Poona — at Poona affirmed
the Decree of the Miff at Poona who had awarded Plffs claim

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the District Judge is contrary to law
in that the District Judge erred in holding
appellant bound by decrees to which he was
no

no party that (2) the District Judge erred in being guided by precedents wrong in principle, and which ought to be reversed that (3) the District Judge erred in holding the deed of gift under which Respondent claimed valid for the reason given by him that (4) the District Judge misconstrued Appellants' pleadings in holding that Muto's power to alienate his man Pan Huk was not called in question by them that (5) whether the question was raised or not the District Judge was ^{in error} in upholding the transfer of these rights to Respondent the said rights being by the custom of the country purely hereditary that there have been substantial errors in law in the investigation of the case which have produced errors in the decision upon its merits that (6) the District Judge has failed to enquire into and determine the question as to the power of Muto to alienate the Huk claimed in this case that (7) the District Judge has awarded a larger amount than was awarded by the previous decrees quoted by him

The Court reverses the decree of the District Judge.

Costs on Special Respondent.

Abhimobh Fuchs
Att. by Fuchs,

MEMORANDUM OF COSTS incurred in Special Appeal No. 257.

of 1864. against the decision of the *Judge* of the District of *Poona* and disposed of on the 23rd December 1864. by reversing the same.

BY THE APPELLANT—

IN THE DISTRICT.

In the <i>Munsiff's Court (including St. Fee)</i>	7	8	11		
In the <i>Judges Court</i>	2	8	5		
				10	14

IN THIS COURT.

Stamp for Memorandum of Special Appeal	1	"	"		
Stamps for copies of Decree and Judgment	2	8	"		
Stamp for Vukalutnama	2	.	.		
Stamp of an application to enter the name of the Appellant's heir	.	.	.		
Batta for Process and Postage	.	13	.		
Sectioner's Fee	1	4	3		
Vukeel's Fee	.	1	11		
				7	11 2
				Rupees....	17 12 6

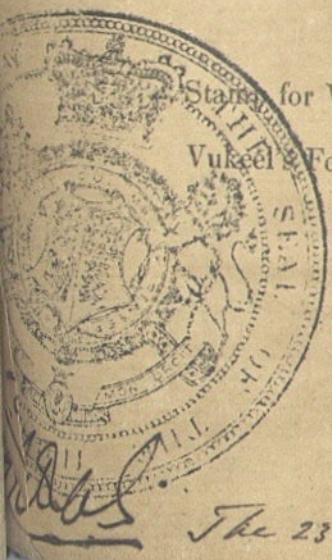
BY THE RESPONDENTS—

IN THE DISTRICT.

In the <i>Munsiff's Court</i>	4	9	11		
In the <i>Judges Court</i>	1	1	11		
				5	11 10

IN THIS COURT.

Stamp for Vukalutnama	2	.	.		
Vukeel's Fee	.	1	11	2	1 11
				Rupees....	7 13 9



R. West
Sealer

R. West
Recd.

The 23rd day of Dec. 1864