

In the High Court of Judicature, Bombay.

Now day, the 4th day of August 1864.

SPECIAL APPEAL No. 271 of 1864.

Krishaji and Trimbukjesh
wunt Patel Koolkurni of the
Ahmednugur Dist^y (Original Plaintiffs) Appellants.

versus

Kashi Madud Laloo Mahar
of the Ahmednugur District Respondent,
(Original Defendant)

Rs. 20. — — —

The claim in the Original Suit was to recover possession
of two furl ds.

In Appeal No. 243 of 1869 the Judge
of the District of Ahmednugur at Ahmednugur reversed
the Decree of the Mag^{ist} of Yola who had awarded the
claim and threw it out with all
Costs.

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the District Judge on the plea of
limitation is wrong: that (2) the Defendants
claim to the land sought to be recovered
by the Appellants in this suit as cultivator
or

or tenant does not constitute him proprietor and is barred by a former decision of the Collector between the same parties and on the same subject: that (3) the Court below has misinterpreted the agreement ^{N^o 4} account books and the Receipt ^{books} N^o 28 signed by the Defendant and omitted to consider the effect of the admission of the Defendant operating as an estoppel: that (4) the Court below has failed to determine the issue of the entry in the Survey Register the onus probandi whereof lay on the Defendant: that (5) the Lower Court omitted to decide the question as to the genuineness of the Collector's book an extract from which was produced by the Appellants in evidence and was wrong in rejecting it as evidence and the Appellants pray the decree of the Court of Original jurisdiction may be confirmed.

The Court confirm
the decree of the District
Judge with costs on the
Special Appellant
Alexander H. B. B. B.

MEMORANDUM OF COSTS incurred in Special Appeal No. 271

of 1864 against the decision of the Judge of the District of Amudnagar and disposed of on the 4th August 1864 by Confirming the same with costs.

BY THE APPELLANT

In the District.

In the Moonsiff's Court	5	13	7		
In the Judge's Court (including V. Fee)	1	1	7	6	15
				2	

In this Court.

Stamp for Memorandum of Special Appeal	2	"	"		
Stamps for copies of Decree and Judgment	2	"	"		
Stamp for Vukeelutnama	2	"	"		
Batta for Process and Postage	1	"	"		
Sectioner's Fee	1	1	9		
Vukeel's Fee	"	9	7	8	11
				4	

Rupees 15. 10 6.

BY THE RESPONDENT.

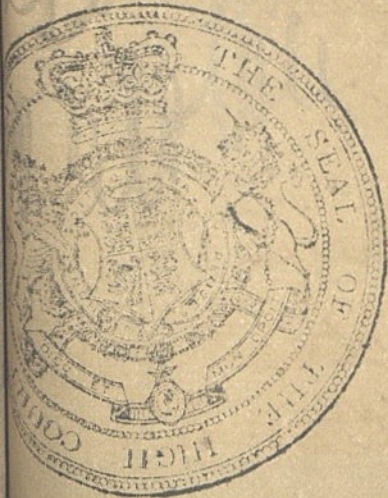
In the District.

In the Moonsiff's Court	3	3	7		
In the Judge's Court	4	1	7	7	5
				2	

In this Court.

Stamp for Vukeelutnama	2	"	"		
Vukeel's Fee	"	9	7	2	9
				7	

Rupees 9. 14 9.



Agave
Sealer

Agave
Acting Registrar

4th Aug 1864