

Poona

In the High Court of Judicature, Bombay.

Thursday, the 22<sup>nd</sup> day of September 1864.

SPECIAL APPEAL No. 278 — of 1864.

Narayan Pandorung Mahajan  
of the Poona District  
(Original Plaintiff) Appellant

versus

Bapu Balkrishna and Sudastin  
Rameshchandra Hirde of the Poona  
District  
(Original Defendants) Respondents

Rs. 10 — 9 — 7

The claim in the Original Suit was to recover a half share in the fields Nos. 90, 91, 104 & 108.

In Appeal No. 1028 of 1862 the ~~Assistant Judge~~ <sup>Pt. Sudder Ameen</sup> of the District of Poona at Poona reversed the Decree of the ~~Magistrate~~ <sup>Magistrate</sup> who had awarded the claim.

A Special Appeal was preferred in the High Court on the grounds that the decision of the Principal Sudder Ameen is ~~appealed against and that it is~~ <sup>contrary to law in that the claim not being</sup>

being barred by limitation it has been held to  
be so. (2) the plea of limitation not being raised  
by the Defendants the Court below rejected the  
claim on that ground. (3) the appellant  
and the opposite party being coparceners  
the possession of the latter must be  
held to be that of the former.

The Court confirms the Decree of the Principal  
Sudder Ameen with costs.

At Simla this 10th Decr.

A. M. M. M.

MEMORANDUM OF COSTS incurred in Special Appeal No. 278

of 1864 against the decision of the P. S. Ameen — of the District of Poona — and disposed of on the 22<sup>nd</sup> September 1864 by confirming the same with costs.

BY THE APPELLANT—

In the District.

In the Moonsiff's Court .....	8. 3. 11	✓
In the P. S. Ameen's Court (including V. Fee) .....	" 13. 1.	✓
		9. 4. ..

In this Court.

Stamp for Memorandum of Special Appeal .....	1. ....	✓
Stamps for copies of Decree and Judgment .....	2. 8. ..	✓
Stamp for Vukeelutnama .....	2. ....	✓
Batta for Process and Postage .....	1. 12. ..	✓
Sectioner's Fee .....	" 11. 9	✓
Vukeel's Fee .....	" 5. 1.	✓
		8. 4. 10
	Rupees....	17. 5. 10

BY THE RESPONDENT

In the District.

In the Moonsiff's Court .....	17. 9. 2.	✓
In the P. S. Ameen's Court .....	3. 3. 11	✓
		20. 13. 1

In this Court.

Stamp for Vukeelutnama (two) .....	4. ....	✓
Vukeel's Fee .....	" 5. 1.	✓
		4. 5. 1
	Rupees....	25. 2. 2.



*Herbert*

*Herbert*  
For Sealer

The 22<sup>nd</sup> day of September 1864.