

In the High Court of Judicature, Bombay.

Now day, the 3rd day of July 1865.

SPECIAL APPEAL No. 281 of 1864.

Rajaram Sukharam
Sonar of the Poona
District (Original Plaintiff) } Appellant,

versus

Pandoo biv Gimmaji
Patil Dhunadhure and
Mahadobiv Paghoo
Mali of the Poona District
(Original Defendants) } Respondents

Rs. 9-8-00

The claim in the Original Suit was to obtain possession of a share of certain land upon a deed of partnership together with a share of the profit for 3 years
In Appeal No. 1014 of 1862 the
of the District of Poona the
the Decree of the ^{Asst} Magistrate who
of the land only
Asst Judge
reversed
had adjudged possession

A Special Appeal was preferred in the High Court on the grounds that (1) there has been a substantial error in law in the investigation of the case which has produced an error in the decision of the case on its merits in that the Court of

of Appellate jurisdiction was in error in throwing out the claim of the appellant, notwithstanding that the Respondents admitted the deed of Sale N^o. 54: that (2) the Appellant having held the management for many years in virtue of the Exhibit N^o. 54 (even) before the cause of action arose, the stipulations contained in Exhibit N^o. 54 were fully binding on the opposite parties, notwithstanding this, the claim was thrown out: that (3) the Appellate Court was in error in holding that the conditions contained in Exhibit N^o. 54 were not fulfilled since no documentary evidence was advanced against the said Exhibit.

The Court
confirms the decree of the District
Judge with costs
Attest
Attest
Attest

Attest
Attest
Attest

MEMORANDUM OF COSTS incurred in Special Appeal No. 281
of 186 A against the decision of the Assistant Judge of the
District of Poona and disposed of on the 31st July 1865
by confirming the same.

BY THE APPELLANT—

IN THE DISTRICT.

In the Moonsiff's Court (including Fee)	32	15	7	✓
In the Assistant Judge's Court	1	4	7	✓
			34	42

IN THIS COURT.

Stamp for Memorandum of Special Appeal	1	0	0	✓
Stamps for copies of Decree and Judgment	3	8	0	✓
Stamp for Vukalutnama	2	0	0	✓
Stamp of an application to enter the name of the Appellant's heir	0	0	0	
Batta for Process and Postage	1	7	0	✓
Sectioner's Fee	1	4	0	✓
Vukeel's Fee		4	7	✓
			9	7

Rupees.... 43 11 9 ✓

BY THE RESPONDENT—

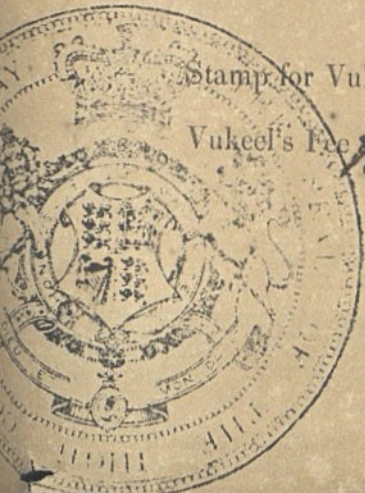
IN THE DISTRICT.

In the Moonsiff's Court	11	11	0	✓
In the Assistant Judge's Court	4	6	1	✓
			16	11

IN THIS COURT.

Stamp for Vukalutnama	2	0	0	✓
Vukeel's Fee of Pandoo ben Commission of the Receipt		4	7	✓
			2	4

Rupees.... 18 5 8 ✓



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