

In the High Court of Judicature, Bombay.

Thursday, the 11th day of August 1864.

SPECIAL APPEAL No. 282 of 1864.

Rasha Mulud Dania
Mahar of the Ahmednagar
District (Original Defendant)

Appellant,

versus

Pandia Mulud Gajee
Mahar Mehetre and
Subia Mulud Devji Mahar
Shete of the Ahmednagar
District (Original Plaintiffs)

Respondent,

Rs. 6-0-0

The claim in the Original Suit was to obtain $\frac{1}{2}$ share
in the emoluments of two offices
of Malhar in the village of Yethur.

In Appeal No. 365 of 1863 the Judge
of the District of Ahmednagar at Ahmednagar confirmed
the Decree of the Magistrate of Yethur who had awarded
the 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

who were concerned in the profits and losses should have been made parties to the suit. which not having been done, the award of the Special Respondent's claim is contrary to Section 43 of Act VIII of 1859: that (2) it is contrary to usage having the force of law in that, the appellate court has passed a decision about the Rights of those who were not parties to the suit: therefore the decision of the appellate court is contrary to rulings in cases Nos 3010, 3442, and 23 of the certified List: that (3) a substantial error in law in the investigation of the case has produced an error in the decision of the case on its merits in that, the Appellate Court did not lay it down as a point (for decision), though it was urged by the Appellant, whether the Respondent's claim was valid in law or not, notwithstanding that he had never ^{managed} mortgaged the Wuthu (

The Court
confirms the decree
of the District Judge
with costs on the Special
Appellant.

Approved
S. A. [Signature]

MEMORANDUM OF COSTS incurred in Special Appeal No. 282

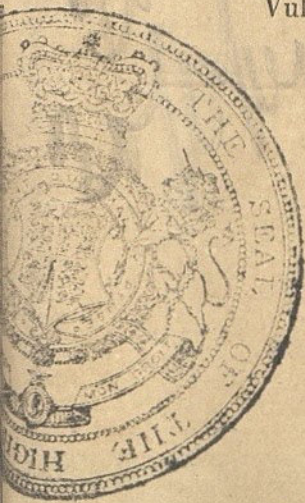
of 186 4. against the decision of the Judge .. of the District of Ahmednagar and disposed of on the 11th August by Confirming the same with Costs

BY THE APPELLANT—

In the District.				
In the Moonjeff's Court (including Fee)	5	10	10	✓
In the Judge's Court (including Fee)	2	2	10	✓
In this Court.				7. 13. 8
Stamp for Memorandum of Special Appeal	1	"	"	✓
Stamps for copies of Decree and Judgment	4	"	"	✓
Stamp for Vukeelutnama	2	"	"	✓
Batta for Process and Postage	1	5	"	✓
Sectioner's Fee	1	12	9	✓
Vukeel's Fee	"	2	10	✓
			10	4
			7	✓
Rupees	18	2	3	✓

BY THE RESPONDENT

In the District.				
In the Moonjeff's Court	12	12	00	✓
In the Judge's Court	1	2	11	✓
In this Court.				13 15 9
Stamp for Vukeelutnama	2	"	"	✓
Vukeel's Fee	"	2	10	✓
			2	2
			10	✓
Rupees	16	2	7	✓



Cyrene
Seales
Cyrene
 Acting Registrar