

In the High Court of Judicature, Bombay.

For day, the 2nd day of December 1864.

SPECIAL APPEAL No. 291 of 1864.

Gjureshdas Wiland Tejmal Mee-
wadi of the Ahmednugur,
District } Appellant
(Original Defendant)

Sudashri ^{versus} Hoorkaji, deceased, his
son and heir Ramchandra mi-
nor by his mother and guardian
Chandra Bhagabai of the Ah- } Respondent
mednugur District }
(Original Plaintiff)

Rs. 799-8- "

The claim in the Original Suit was to recover possession of
a half share of a house let to Defendant's
father and wrongfully retained by Defendant

In Appeal No. 306 of 1861 the A.C. Assist. Judge
of the District of Ahmednugur at Ahmednugur confirmed
the Decree of the Dist. J. Ahmednugur who had allowed the claim.

A Special Appeal was preferred in the High Court on the grounds that ~~the~~ Sub-
stantial errors in law in the investigation
of the case have been made which have pro-
duced errors in the decision of the case upon

(1)
its merits in that, the District Judge was in error
in ruling that, a tenant cannot, dispute the
title of his land lord after the tenancy is
expired, ^{that that} (2) this being an action for Ejectment
the Plaintiff (Respondent), should have been
required to ~~prove~~ prove his title by clear evidence and
should not have been allowed to rely upon the
weakness of the title of his adversary, ^{and that} (3) ~~and~~
the District Judge should have treated the rent
note N^o 24 as an evidence of an admission of a
proprietary title of the Plaintiff and was in
error in giving it a greater weight than the
decree of the High Court contemplated.

The Court confirms the decree of the District
Judge.

Costs on Special Appellant.

William Forbes.

H. H. Fisher,

MEMORANDUM OF COSTS incurred in Special Appeal No. 291

of 1864 against the decision of the Judge - - - - of the District of Ahmednagar and disposed of on the 2nd Decr 1864 by conforming the same.

BY THE APPELLANT—

In the District.

In the moonsiffs court	26 79	✓
In the judge's court - - - -	69 78	✓
		95 155 ✓

In this Court.

Stamp for Memorandum of Special Appeal	32 ..	✓
Stamps for copies of Decree and Judgment	4 ..	✓
Stamp for Vukeelutnama	2 ..	✓
Batta for Process and Postage	1 7	✓
Sectioner's Fee	1 8	✓
Vukeel's Fee	23 15 9	✓
		64 14 9 ✓
Rupees....		160 14 2 ✓

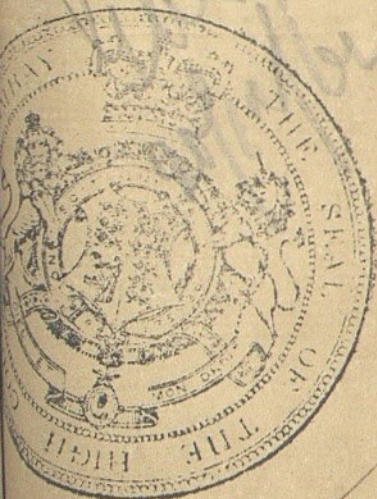
BY THE RESPONDENT.

In the District.

In the moonsiffs court	70 15 10	✓
In the judge's court - - - -	45 " 2	✓
		116 " " ✓

In this Court.

Stamps for Vukeelutnama <i>two</i>	4 ..	✓
Vukeel's Fee	23 15 9	✓
		27 15 9 ✓
Rupees....		143 15 9 ✓



R West
Sealer

R West
Registrar

The 2nd day of December 1864.