

Satara

In the High Court of Judicature, Bombay.

Friday, the 18 day of March 1864

SPECIAL APPEAL No. 2954 of 1864.

Amretas Krishe Deshpande
Surph baroom of the Satara District -

(Original Plaintiff)

versus

Ragho Vitul Deshpande
of the Satara District

Respondent

(Original Defendant)

Rs. 95-15.

The claim in the Original Suit was to recover, from Ragho, some Inam land, situated in the village of Punoombre, valued at Rupees 9-9-5; which was alleged to have been surreptitiously taken possession of by Ragho.

In Appeal No. 594 of 1864 the judicial Assist. Collector of the District of Satara reversed with costs the Decree of the Munsiff of Malwa who had awarded Plaintiffs' claim -

Collector (at Satara)

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

decision of the case on its merits in
that although the Appellants
proprietary right is proved by the
Sunud the papers of measurements
the So of land and the accounts
of the village, the Appellate Court
observes in its judgment that it
could not be ascertained which
land belongs to Amrita which is
opposed to the evidence; and that (2)
as the land was waste it was not
under the cultivation of any body
and the Respondent Raghu con-
tends that he is the proprietor
under the Sunud No 9 but
Raghu's name is not entered in
the Village account and in the
papers of measurement nor is
there any proof to prove his
proprietary right. This will be
evident from the judgment of the
Judicial Court.

In

In Special Appeal the decree of the judicial Assistant Collector was reversed with Costs.

A Review of judgment having been admitted.

The Court. reverses the order of the collector and re-wards the cause in order that the District Judge may bring into the genuineness of the documents produced by both parties and ~~to~~ may pass a new decree. Costs to follow the final decision.

R. Cochrane
J. Newson

Bill of Costs

In this Court

By the Appellants

Stamps for Vukaluturama _____ 2 ..

Ballia for Process and Postage _____ 1/4 ..

Vukel's Fee one fourth _____ " 11/7

49/7

Prepes 49/7

By

By the Respondent

Stamp for Vukalutwama ————— 2 1/2

Vukuel's fee one fourth. ————— " 1/4 2 1/4

Rupces 2 1/4 Translated
Dhaskar

Received
To be trans
4/1
2/3/1



R. West
Registrar

The 18th day of March 1864.

Issued a certificate on
Majesty's Treasury Bank
for the fund of Rs eight
the value of the stamp in
Special appeal in this case

18th March 1864

R. West
Registrar

31
1864