

In the High Court of Judicature, Bombay.

Wednesday, the 10th day of August - 1864.

SPECIAL APPEAL No. 301 OF 1864

Ramji wulud Woodaji and
Andoji wulud Woodaji Malee } Appellants
of the Poona District —
(Original Defendants)

versus

Gurnoji wulud Nashiba, de-
ceased, his son & heir Dugdai a
minor by his mother and
guardian Sutsroomibai of the } Respondent
Poona District (Original Plaintiff)

Rs. 44 - - -

The claim in the Original Suit was to recover possession
of certain land alleged to have
been mortgaged by Plaintiff's father.

In Appeal No. 1045 of 1832 the Act. Assist. Judge
of the District of Poona at Poona. confirmed
the Decree of the Juff of Poona who had awarded the
claim.

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the Acting Assistant Judge is con-
trary to law in that he has decreed redemp-
tion of the land in question in favor of
Respondent

Respondent although it is admitted that Respondent is not the original mortgager or his representative; that (2) the acting assistant judge has misconstrued the documents alluded to in his judgment in holding that they show appellant is only mortgagee of the land in question; that (3) the Acting assistant judge has failed to give any opinion on the question of limitations raised in this case and that (4) the Acting assistant judge has given no opinion on the other grounds raised in the appeal.

The Court confirms the Decree of the acting Assistant Judge with costs in Special Appellate.

Joseph Arnold

H. Newton

W. M. W. W.

MEMORANDUM OF COSTS incurred in Special Appeal No. 301.

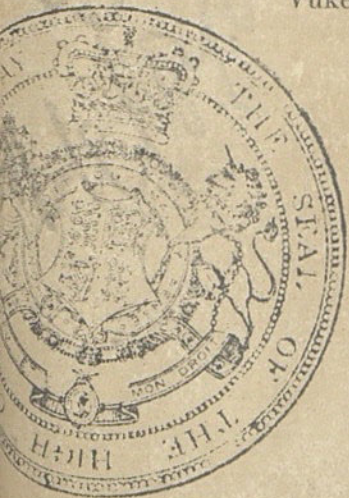
of 1864 against the decision of the Acting S^{ts} Judge of the District of Poona --- and disposed of on the 10th August by confirming the same with costs.

BY THE APPELLANT

In the District.				
In the Moonseff's Court (incl. adv. v. fee)	11	3	10	✓
In the S ^{ts} Judge's Court	of	21		✓
In this Court.			18	5
Stamp for Memorandum of Special Appeal	4	"	"	✓
Stamps for copies of Decree and Judgment	3	"	"	✓
Stamp for Vukeelutnama	2	"	"	✓
Batta for Process and Postage	1	7	"	✓
Sectioner's Fee	1	26		✓
Vukeel's Fee	1	51		✓
			12	14
			7	
Rupees....			31	4
			6	

BY THE RESPONDENT.

In the District.				
In the Moonseff's Court	17	71		
In the S ^{ts} Judge's Court	2	57		
In this Court.			19	12
Stamp for Vukeelutnama	2	"	"	✓
Vukeel's Fee	1	51		✓
			3	5
			1	9
Rupees....			23	19



Chune
Sealer

Chune
Acting Registrar

10th day of August 1864.