

In the High Court of Judicature, Bombay.

Monday, the 22nd day of August — 1864.

SPECIAL APPEAL No. 332 of 1864.

Mania bin Dhondu
Teli of the Konkan District

Appellant

(Original Plaintiff —)

VERSUS

Krishnashet and Babaji and
Vittul bin Babsket and Ramshet
bin Sudashivshet of the Konkan
District

Respondents

(Original Defendants.)

Rs. 17 — 12 — "

The claim in the Original Suit was to obtain possession of a field in Walup-broozorg. The P. lff alleged that it was his by inheritance and had been leased by his father to the father of Def^s.

In Appeal No. 691 of 1862 the *Asst. Jdg.* — — — — —
of the District of *the Konkan* — at *Panvel reserved* — — — — —
the Decree of the *Jff of Mahad* — who had decreed in favor of the
Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that there has been a substantial error in law in the procedure of the case and which has produced error in the decision of the case on its merits
in

in that-

a The Assistant Judge has not taken into consideration the evidence of all the witnesses who recognise the lessee's handwriting on a agreement of 1833.

b There is no evidence to bear out the statement that the whole of the land in dispute being made over to Babaji, mania or Dhonda came to be cultivating a portion of it some time afterwards.

The Court confirms the Decree of the Assistant Judge with costs on Special Appellant.

Jeff Arnold

A. W. Menden

MEMORANDUM OF COSTS incurred in Special Appeal No. 332

of 186 4 against the decision of the *Aps^{te}* Judge... of the District of *the Mookam* and disposed of on the 22 Aug^r 1864 by *Confirming the same with Costs.*

BY THE APPELLANT—

In the District.

In the *Moonceiff's Court* 7 14 6 ✓
 In the *Aps^{te} Judge's Court* 1 8 6 ✓

In this Court.

Stamp for Memorandum of Special Appeal 2 " ✓
 Stamps for copies of Decree and Judgment 3 " ✓
 Stamp for Vukeelutnama 2 " ✓
 Batta for Process and Postage 1 14 " ✓
 Sectioner's Fee 1 3 9 ✓
 Vukeel's Fee " 8 6 ✓

10 10 2 ✓

Rupees.... 20 13 ✓

BY THE RESPONDENT.

In the District.

In the *Moonceiff's Court* 6 " 6 ✓
 In the *Aps^{te} Judge's Court* 4 5 6 ✓

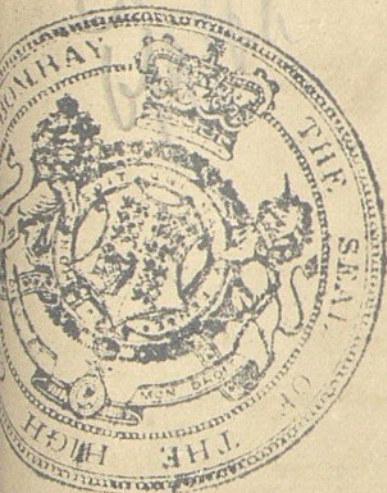
In this Court.

Stamp for Vukeelutnamas *two* 4 " ✓
 Vukeel's Fee " 8 6 ✓

10 6 " ✓

4 8 6 ✓

Rupees.... 14 14 6 ✓



E. J. M.

Sealer

The 22nd day of August 1864.

E. J. M.
 Acting Registrar.