

Satara

In the High Court of Judicature, Bombay.

Tues day, the 7th day of June 1864

SPECIAL APPEAL No. 35 of 1864.

Apa bin Nitoo Patil of the Satara District (~~original Plaintiff~~)
(Original Plaintiff) } Appellant

versus

Pabaji bin Gopala Khat of the Satara District
(Original Defendant) } Respondent

Rs. 16. . 4. 10.

The claim in the Original Suit was to obliged the Def^t to have a Khata made out in the Plff's name.

In Appeal No. 147 of 1863 the Judge of the District of Satara at Satara reversed the Decree of the Juff of Walwa who had awarded the claim on remand from the District Court, and threw it out with costs.

A Special Appeal was preferred in the High Court on the grounds ~~that~~ (1) ^{that} the decision of the District Judge is contrary to law because the ~~Court~~ ^{Dist. Juff} was under misapprehension

misapprehension in supposing that in making a decree declaring the Plaintiff entitled to the relief he prays for there would inevitably be a conflict between the civil and Revenue Courts. ⁽²⁾ That a substantial error in law in the investigation of the case has occurred which has produced an error in the decision of the case upon its merits in that the ~~Court~~ ^{District Judge} passed a decree without taking any evidence whatever and without regard to the exhibit N^o. 4 which is a decree.

The Court confirms the decree of the District Judge with costs.

Joseph Amund

J. C. Amund

Bill of Costs

By the Appellant

In the District

In the Mooniff's Court	8.38
D ^o Judge's Court (including v. Fee)	1.70
	9-11-6
Carried over Rupees	9.11.6

Brought over Rupees ————— 9. 11. 6

In this Court

Stamp for memo. of Special appl.	2	"	"	✓
Stamps for Copies of decree & judg ^t .	2	"	"	✓
Stamp for Vukhatutnama	2	"	"	✓
Patwa for process and Postage	1	"	"	✓
Sectioner's Fee	"	12	"	
Vukhel's Fee.	"	7. 10		8 3 10

By the Respondent

Rupees ————— 17. 15. 4

In the District

In the moonjeff's Court	5. 14. 5		
D ^o judge's Court	4. 2. 2		10. 16. 7

In this Court

Stamp for Vukhatutnama	2	"	"	✓
Vukhel's Fee.	"	7. 10		2. 7. 10

Rupees ————— 12. 8. 5



C. J. M. M.
Sealer.

The 7th day of June 1864.

C. J. M. M.
Acting Registrar