

In the High Court of Judicature, Bombay.

Tue day, the 8 day of *Sept* 1864

SPECIAL APPEAL No. 38 — OF 1864

Balaji Vishnu Goshi of the
Putnagiri Division of the Konkan
District —————
————— (Original Plaintiff.)

Appellant

versus

Narayan Bhaichund and Da-
modhar Motiram Godsur of the
Putnagiri Division of the Konkan
District —————
————— (Original Defendants.)

Respondents.

Rs. 550 — " — "

The claim in the Original Suit was to

have possession
of a shop alleged to have been leased
to the Depts and rent for the same to the
amount of Rs 100
In Appeals No. *44* of 1863 the *Ag. Sen. Res. Judge*
of the District of *the Konkan* at *Putnagiri* concluded
the Decree of the *Mag. at Dapodi* who *had awarded posses-*
sion of the premises with costs to the extent
of paying Damodhar from liability for
the costs of the suit

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the Senior Assistant Judge is contrary
to law in that ~~the Senior Assistant Judge~~ ^{he} did not
consider the appellant entitled to the rent sued
for;

for; whereas having redeemed the mortgage
 & stood in the place of the mortgagee and
 could sue for the use of the warehouse; and
 that (2) 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 that the court below refused to give compen-
 -sation for the injury done to the warehouse,
 although they could give it in the way of alter-
 -native damages.

By the Court

the decree of the Court below with
 costs

R. Couch
 Atty. Genl.

Bill of costs

By the appellants
 In the District

In the Moonseiff's Court ————— 77.12.00
 In the Senior Appellate Judges' Court ————— 29.5.00
 107.1.00

In this Court

Stamp for Memo. of Special app^l — 32.00
 Stamps for copies of decree & judgment — 3.00
 Stamp for Vekratutnama — 2.00
 Batta for Process and Postage — 3.00
 Sectioner's Fee — 1.7.6
 Vekreel's Fee — 16.8.00
 57.15.6

Rs. 165.00

By

By the Respondents

In the District

In the Moonseiff's Court ————— 38.15 "

In the Senior App^{ts} Judge's Court ————— 47.12.6

86.11.6

In this Court

Stamp for Vukalutnauca ————— 2 "

Vukel's Fee, ————— 16.8 "

18.8 "

Rupees - 105.3.6



R. West
Sealer

R. West
Registrar

The 8th day of April 1864.