

In the High Court of Judicature, Bombay.

Thursday, the 4 day of October 1866.

SPECIAL APPEAL No. 380- of 1864.

Narayan Wulud &  
Dandogji Fatil Morade  
of the Ahmednagar District  
Appellant,  
(Original Plaintiff)

versus  
Bengaji Wulud Nim-  
haji Morade of the  
Ahmednagar Dis-  
trict  
Respondent,  
(Original Defendants)

Rs. 22-4-0-

The claim in the Original Suit was to recover a certain field alleged to be the Miras of the Plaintiff but relinquished by him eight or nine years ago when Defendant occupied it.

In Appeal No. 348 of 1863 the Judge of the District of Ahmednagar at Ahmednagar reversed the Decree of the Muz of Basik who had decided in favor of the Plaintiff.

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

Case which has produced error in the  
decision of the case upon its merits  
in that the Judge has misconstrued  
the Paginamia in as much as it  
does not show that the Appellant  
gave up his Ineias right but it  
shows that he gave up merely the  
cultivation of the land, wherefore the  
decision is contrary to it, and  
that (2) the District Judge's decision  
that the Appellant cannot claim  
the land again under the said  
Paginamia is contrary to law, and  
the Rules made by Government in  
such case in 1865.

The Court confirm the District  
Judge's decree with costs.

4/10/66.

A. Weston  
Asst. Mag.

MEMORANDUM OF COSTS incurred in Special Appeal No. 380

of 1864, against the decision of the Judge \_\_\_\_\_ of the District of Ahmednagar and disposed of on the 4<sup>th</sup> October 1866 by confirming the same.

BY THE APPELLANT—

In the District.				
In the <i>Juff's Court</i> _____	8	15	0	
In the <i>Judge's Court</i> (including <del>costs</del> )	1	28	0	
In this Court.			9	41
Stamp for Memorandum of Special Appeal ....	2	00		
Stamps for copies of Decree and Judgment ....	1	80		
Stamp for Vukeelutnama .....	2	00		
Stamp for an application to enter the name of the .....	0	00		
Batta for Process and Postage .....	1	10		
Sectioner's Fee .....	1	06		
Vukeel's Fee .....	0	108	8	42
Rupees....			17	83

BY THE RESPONDENT.

In the District.				
In the <i>Juff's Court</i> _____	2	28		
In the <i>Judge's Court</i> _____	4	08		
In this Court.			6	34
Stamp for Vukeelutnama .....	2	00		
Vukeel's Fee .....	0	108	2	108
Rupees....			8	40

*W. M. M. M. M.*  
acting Registrar.

*J. J. W. Campbell*

Sealer.

The 4<sup>th</sup> day of October 1866.

