

In the High Court of Judicature, Bombay.

Fri day, the 26th day of August - 1864.

SPECIAL APPEAL No. 412 - of 1864.

Wissaji Gunesch deced.
At his son and heir
Kishnaji of the Honkum
District

Appellant,

(Original Plaintiff)

Isha Bhaojee, and
Ada Menaji of the
Honkum District

Respondents,

(Original Defendants)

Rs. 100 - - -

The claim in the Original Suit was to have a decree executed on a field in Madkul, Talooka Panksi.

In Appeal No. 389 - of 1863 - the Asst. Jdg. - - - -
of the District of the Honkum - at Tanna affirmed with costs
the Decree of the Jdg. of Panksi - who had thrown out the claim

A Special Appeal was preferred in the High Court on the grounds that the decision of the Assistant Judge is -
contrary

contrary to law in that,

- (a) The Appellants' mortgage & being registered on the 17th September 1855, the Court held that it was not known to either seller or purchaser.
- (b) That the right of Nuthra to the land did not determine upon an omission to pay the assessment.
- (c) That the Court has assumed that the state was the owner of the soil, and Nuthra merely an occupier.

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

Joseph Arnold

A. W. Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 412

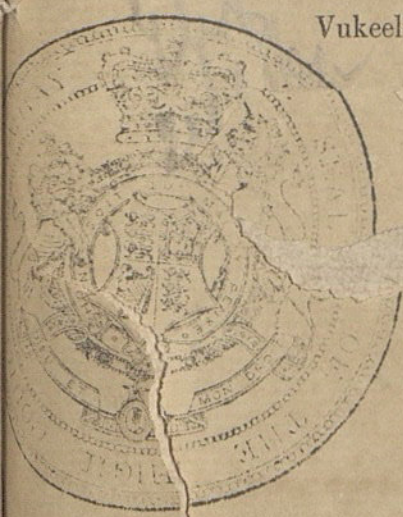
of 186 4 against the decision of the Assistant Judge of the District of The Konthum and disposed of on the 26 August 1864 by Confirming the same with Costs

BY THE APPELLANT—

In the District.		
In the Moonseff's Court	14	" "
In the Asst ^{nt} Judge's Court	13	6 " "
In this Court.		
Stamp for Memorandum of Special Appeal	8	" "
Stamps for copies of Decree and Judgment	3	" "
Stamp for Vukeelutnama	2	" "
Batta for Process and Postage	1	9 "
Sectioner's Fee	"	9 "
Vukeel's Fee	3	" "
		1829
		Rupees.... 4589

BY THE RESPONDENT

In the District.		
In the Moonseff's Court	4	8 "
In the Assistant Judge's Court	4	" "
In this Court.		
Stamp for Vukeelutnama	2	" "
Vukeel's Fee	3	" "
		5 " "
		Rupees.... 138 "



C. W. M. S.
Sealer

C. W. M. S.
Secy^r & Regis^r

The 26th day of August 1864