

In the High Court of Judicature, Bombay.

Tri day, the 26th day of August 1864.

SPECIAL APPEAL No. 417- of 1864.

Vishram, and Gubba
Wahoo Patil of the
Ahmednagar Dis-
trict — (Original Plaintiffs)

Appellants,

versus

Latao Wulud Bappa
of the Ahmednagar
District — (Original Defendants)

Respondent,

Rs. 30-12-0-

The claim in the Original Suit was to recover two fields entire
Nos. 45 and 46 in the Revenue Records of Tandoolwarree.

In Appeal No. 416 — of 1863 the Judge of the District of Ahmednagar at Ahmednagar reversed the Decree of the Miff of Caloori who had decided for the Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that (1) substantial errors in law in the investigation of the case have been made.

made which have produced errors
in the decision of the case upon
its merits, in that the Judge was
in error in requiring documentary
evidence from the Appellants to
prove their title, that (2) the Dis-
-trict Judge was in error in sub-
-sisting that an adverse possession of
less than 12 years is a sufficient
answer to rebut the presumption
of the proprietary right of the Appel-
-lants founded on the fact of the
land being entered in their father's
name in the survey Register; and
that (3) the District Judge has
departed from the provision of Sec-
-tion 11 of Act 14 of 1859 in ruling
that as the Appellants mother did
not bring an action to recover
the property in question at a time
when they were under legal disabi-
-lity the claim for one of the fields
is barred by the law of limitation.

The Court reverses the decree of
the District Judge, & confirms
the decree of the Munsiff,
with costs on Special Respondent.

Joseph Arnold
J. W. W. W.

MEMORANDUM OF COSTS incurred in Special Appeal No. 417.

of 186 4 against the decision of the Judge of the District of Ahmednagar and disposed of on the 26th Aug 1864 by reversing the decree of the Judge and confirming the ^{mooniff's} ~~same~~ with Costs

BY THE APPELLANT

In the District.			
In the Mooniff's Court	7. 83.	✓	
In the Judge's Court (including V. Fee.)	1 69.	✓	8 15"
In this Court.			
Stamp for Memorandum of Special Appeal	2 "	✓	
Stamps for copies of Decree and Judgment	2 "	✓	
Stamp for Vukeelutnama	2 "	✓	
Batta for Process and Postage	1 3 "	✓	
Sectioner's Fee	1 86.	✓	
Vukeel's Fee	" 149.	✓	9 103.
Rupees.....			189 3. ✓

BY THE RESPONDENT.

In the District.			
In the Mooniff's Court -	7 13.	✓	
In the Judge's Court -	4 109.	✓	11 12"
In this Court.			
Stamp for Vukeelutnama	2 "	✓	
Vukeel's Fee	" 149.	✓	2 149.
Rupees.....			14. 109. ✓



Gyane
Sealer

Gyane
Acting Registrar

The 26th day of August 1864