

In the High Court of Judicature, Bombay.

Monday, the 12th day of September 1864.

SPECIAL APPEAL No. 454 of 1864

Sudashiv and Sukharam
Dhondeu of the Konkun Dis-
trict

Appellants

(Original Plaintiffs)

versus

Hari Vishwanath and Mel-
kunt Gopal of the Konkun
District

Respondents

(Original Defendants)

Rs. 64-11-11

The claim in the Original Suit was to obtain damages for the pulling down of a house; to obtain the removed house, and possession of the site.

In Appeal No. 430 of 1863 the Assist. Judge of the District of the Konkun at Tanjore reversed the Decree of the Mung. J. who had decreed for the Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that (1) the decision of the Assistant Judge is contrary to law in that

(a)

(a) the appellants cannot be bound
by a sale to which they were no
parties

(b) The default of the mother if
there be any must not affect the
rights of the appellants

(c) there is nothing to show that
appellants were under the guardians
ship of their mother.

The Court confirms the decree
of the Assistant Judge with costs
on Special Appellants.

Joseph Arnold
Admiralock Forles
H. Lee W.

