

In the High Court of Judicature, Bombay.

Thurs day, the 14th day of April 1864.

SPECIAL APPEAL No. 46 of 1864.

Shaik Abdula Wulud Shaik
Hussun of the Rutnagiri Divi- } Appellant
- sion of the Konkan District.

(Original Plaintiff.)

versus

Shaik Muhammad Wulud
Muhammad Japhur of the } Respondent
Rutnagiri Division of the
Konkan District.

(Original Defendant.)

Rs. 27-6-2

The claim in the Original Suit was to redeem certain land
averred to have ^{been} mortgaged by the
Plff in favour to the Defs.

In Appeal No. 219 of 1860 the Act. Sen. Assist. Judge
of the District of Konkan at the detached station of
the Decree of the Juff of Clifton who had awarded
possession of the land in dispute to
Plff without payment of anything, and
awarded possession on condition of
payment of 200 Rs to Defs a jeha.

A Special Appeal was preferred in the High Court on the ground that the Act.

Senior Assistant Judge should not have
laid on Special Appellant an obligation
to pay a large sum for the redemption

of the mortgaged Thikans until Special Respondents - one of whom was believed to have destroyed the original bond had proved by good evidence what sum was due to him.

The Court reverse the decree of the Acting Senior Assistant Judge and affirm that of the Mooniff.

The costs in both the Appellate Courts to be borne by Sheikh Ibrahim and Gotang.

Atkinchale Forbes
H.P. 14. Tucker

Bill of costs

By the Appellant
In the District

In the Mooniff's Court	_____	15.8.	
Do Senior App ^{te} Judge's Court	_____	1.13.1.	17.5.1

In this Court

Stamp for memo. of Special app ^l	_____	2.0.	
Stamps for Copies of decree & judgment	_____	3.0.	
Stamp for Vukalutuanas	_____	2.0.	
Walla for Process and Postage	_____	1.3.	
Sectioner's Fee	_____	1.15.3	
Vukeel's Fee	_____	" 13.1.	
			10.15.4

Repus. 28. 4.5

By the Respondent
In the District

In the Moonseffs Court (including Fee) — 4.10.4

In the Senior App^{ts} Judges Court — 3.11.1 8.5.5

In this Court

Rspees — 8.5.5



R West
Sealer

R West
Registrar

The 14th day of April 1864.