

In the High Court of Judicature, Bombay.

Thurs day, the 15th day of September 1864.

SPECIAL APPEAL No. 517 of 1864.

Babaji bin Sabaji of the Satara District
(Original Plaintiff)

Appellant

versus

Babaji and Bapu and Sivba and
Katha and Deoji and Mahados sons
theirs of kedari bin Subhana of the
Satara District (Original Defendants)

Respondents

Rs. 4-4-"

The claim in the Original Suit was to
recover possession of
some Govt land.

recover possession of

In Appeal No. 380 of 1863 the
of the District of Satara at
the Decree of the Hon^{ble} J. J. J. who

Judge
Satara reversed
had decreed for the Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of District judge is contrary to law in
that:—

a A mirasdar or any other holder of
lands

land does not lose his rights by being out of possession for 15 or 20 years.

b The District judge held the entry of the appellants name in the revenue books to be fraudulent, without any proof or even allegation to that effect by the Respondent.

c It is erroneous to suppose, as the District judge has done, that government land cannot descend to the holder's heirs.

And that (2) there has been a substantial error in law in the investigation of the case which has produced error in the decision of the case on its merits in that the lower court has disregarded all presumptions of law necessarily arising in the case.

The Court enforces the Decree of the District Judge with costs in Special Appellant.

Just. Amos
Abinloch Forbes.

A. J. Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 517

of 1864 against the decision of the Judge _____ of the District of Sattara and disposed of on the 15th September 1864 by confirming the same with costs.

BY THE APPELLANT—

In the District.

In the Moonsiff's Court 13. 8. 1
 In the Judge's Court..... 1. 2. "

In this Court.

Stamp for Memorandum of Special Appeal 1. " "
 Stamps for copies of Decree and Judgment 1. 8. "
 Stamp for Vukeelutnama 2. " "
 Batta for Process and Postage 3. " "
 Sectioner's Fee 1. " "
 Vukeel's Fee " 2. "

14. 10. 1

8. 10. "

Rupees....

23. 4. 1

BY THE RESPONDENT

In the District.

In the Moonsiff's Court 7. 12. 6
 In the Judge's Court..... 3. 2. "

In this Court.

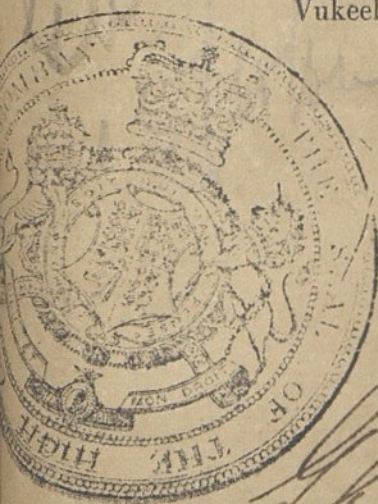
Stamp for Vukeelutnama 2. " "
 Vukeel's Fee " 2. "

10. 15. 6

2. 2. "

Rupees....

13. 1. 6



[Signature]
 For Sealer

[Signature]
 In Acting Register

The 15. day of September 1864