

Poona

In the High Court of Judicature, Bombay.

Thursday, the 15th day of September 1864.

SPECIAL APPEAL No. 519 of 1864.

Bulwuntrao Narayan of the
Poona District — — — — — } Appellant

(Original Plaintiff)

versus

Krishnaji Anant Kibe, deceased, his
sons and heirs Nars & Gunesh & Govind
& Umabai widow of Gangadhar Krishna } Respondents

Kibe of the Poona District — — — — —

(Original Defendants)

Rs. 637-7-2.

The claim in the Original Suit was to ^{recover possession of} 8½ Dhums of a house
which had been mortgaged to the ancestor of Defen-
dants, plaintiff offering to pay the sum due on the
mortgage.

In Appeal No. 409 of 1863 the Assist. Judge
of the District of Poona at Poona reversed
the Decree of the Mof. of Poona who had decreed for the Plaintiff

A Special Appeal was preferred in the High Court on the grounds that the de-
cision of the assistant judge is contrary to law, in
that the Lower Court is wrong in holding that the
present Suit is not maintainable.

The Court reverses the Decree
of the App. Judge, and confirms
the Decree of the Missouri with
costs on Special App. Ref.

Joseph Arnold
Att. Gen. Mo.

J. M. Anderson

