

In the High Court of Judicature, Bombay.

Friday, the 16<sup>th</sup> day of September 1864.

SPECIAL APPEAL No. 524 of 1864

Jyram W<sup>d</sup> Dhunji and Be-  
surchund W<sup>d</sup> Ramchunder Goojur  
& Rajaram W<sup>d</sup> Balaram Agarwala  
of the Solapoor District  
\_\_\_\_\_ (Original Plaintiffs)

Appellants,

versus

Shetappa W<sup>d</sup> Pudarvana  
Dhunsal of the Solapoor  
District.  
\_\_\_\_\_ (Original Defendant.)

Respondent,

Rs. 2,575-4-0

The claim in the Original Suit was to recover a bond, dated  
Nov<sup>r</sup>. 21, 1852.

In Appeal No. 41 of 1863 the Acting Judge  
of the District of Solapoor at Solapoor confirmed  
the Decree of the Munsif of Hingurje who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) there  
has been a substantial error in law  
in the investigation of the case which  
has

has produced <sup>in</sup> the decision thereof  
upon its merits in that the document  
being very old it ought not to have  
been rejected for not being on <sup>the</sup> stamp  
paper when executed because the claim  
was preferred in time and the document  
stamped according to law; that (2) the  
claim being founded upon a document  
ought not to have been rejected because  
no account books were shewn, and that  
(3) there being no issue in the lower <sup>or</sup>  
Court about the account books, the  
latter were not produced by the ap-  
pellant or <sup>his</sup> witnesses, the claim  
therefore ought not to have been re-  
jected because there was no evidence  
to prove an issue which did not exist;  
if an inquiry into the said matter  
was necessary the case ought to have  
been remanded.

The Court confirms the Decree  
of the District Judge with costs  
on Special Appellate.

Joseph Arnold  
Attorney at Law.

MEMORANDUM OF COSTS incurred in Special Appeal No. 524

of 1864 against the decision of the *Acting Judge* of the District of *Sholapoor* and disposed of on the 16<sup>th</sup> *Sept* 1864 by *confirming the same with costs.*

BY THE APPELLANT

*In the District.*

In the <i>Mousiff's Court (including V. S. fee)</i>	223.1	"	
In the <i>Judge's D<sup>o</sup></i>	176.13	"	
			399.14 "

*In this Court.*

Stamp for Memorandum of Special Appeal	100.	"	
Stamps for copies of Decree and Judgment	3.	"	
Stamp for Vukeelutnama	2.	"	
Batta for Process and Postage	2.13	"	
Sectioner's Fee	"	9.6.	
Vukeel's Fee	71.8	"	
			179.14.6.
			Rupees.... 579.12.6.

BY THE RESPONDENT.

*In the District.*

In the <i>Mousiff's Court</i>	87.2	"	
In the <i>Judge's D<sup>o</sup></i>	72.8	"	
			159.10 "

*In this Court.*

Stamp for Vukeelutnama	2.	"	
Vukeel's Fee	71.8	"	
			73.8 "
			Rupees.... 233.2 "



*[Signature]*  
*[Signature]*  
*For Acting Registrar*  
*[Signature]*  
*of the Sealer*  
*The 16 day of September 1864.*

मुंघर्षेची स्यायाची दारी घट्ट दोर तांत.

~~३३ म नरतदि १६ मठे ७५५~~

~~स्वोशी घट्टीची ४५५ २२४ ७५५६~~

~~पुयनल का धारा पापू सं का रल सं~~

~~गुला एर फर तं का दक) रल धार लडा~~

छापी सं.

~~उरुळी घट्टी प्र. सं.~~

(मु. क. धार)

प्रतीपक्षी.

~~रोमा का गुमना धरना कठ प्र. सं.~~

~~घट्टी प्र. सं.~~

गीत पों सं.

(मु. क. धार)

सचके. २५०-६६

~~हरी २५० १७६२ २५० २५० २५० २५०~~

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~~दशमोऽंशः विष्णुसहस्रनाम (विष्णुसहस्रनाम) श्रीगणेशाय नमः १०८०~~

~~श्री (१) विष्णुसहस्रनाम (१) श्रीगणेशाय नमः १०८०~~

~~शुभं कुरुते तस्मात्पुण्यं कुरुते तस्मात्पुण्यं कुरुते १०८०~~

~~एतन्मन्त्रं पठेत्पुण्यं कुरुते तस्मात्पुण्यं कुरुते १०८०~~

~~तां ह्येतां वन्दे तस्मात्पुण्यं कुरुते तस्मात्पुण्यं कुरुते १०८०~~

~~इति विष्णुसहस्रनाम (२) श्रीगणेशाय नमः १०८०~~

~~इति विष्णुसहस्रनाम (३) श्रीगणेशाय नमः १०८०~~

~~एतन्मन्त्रं पठेत्पुण्यं कुरुते तस्मात्पुण्यं कुरुते १०८०~~

~~श्रीगणेशाय नमः १०८०~~

~~इति विष्णुसहस्रनाम (४) श्रीगणेशाय नमः १०८०~~

~~एतन्मन्त्रं पठेत्पुण्यं कुरुते तस्मात्पुण्यं कुरुते १०८०~~

~~श्रीगणेशाय नमः १०८०~~

~~इति विष्णुसहस्रनाम (५) श्रीगणेशाय नमः १०८०~~

~~श्रीगणेशाय नमः १०८०~~

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Translated by  
Paul [unclear]  
Pratt

