

In the High Court of Judicature Bombay.

Medus day, the *7* day of *Decr* 186*4*

SPECIAL APPEAL No. *530* OF 186*4*

*Mahadapa bin Khundapa
Hoqur of the Solapoor Dis-
trict*

Appellant,

(Original Plaintiff)

versus

*Jya widow of Ramji Kurwite
and Yesaji widow Ramji
Kurwite of the Solapoor*

Respondent,

District (Original Defendants)

Rs. *2,165-10-11*

The claim in the Original Suit was to *recover certain cash
and ornaments alleged to have been deposited
with the Defendants*

In Appeal No. *231* of 186*3* the *Acting Judge*
of the District of *Solapoor* *reversed*
the Decree of the *Magistrate* who *had found for the*
Plaintiff

A Special Appeal was preferred in the High Court on the grounds that (1) *the
decision of the Acting Judge is contrary
to usage having the force of law in
that*

that had the evidence which was not examined by the Moonsiff been taken before reversing the Moonsiff's decree in the appellants favor the appellate court would have found no reason to reverse the Moonsiff's decree on imaginary grounds. wherefore the decision of the Appellate Court is contrary to the ruling in Special appeal No. 3275; that (2) the document was properly stamped and the decision No. 3044 which the Appellate Court has quoted does not apply to the said Exhibit No. 3; that (3) a substantial error in law has occurred in the investigation of the case which has produced an error in the decision of the case on its merits, in that the Exhibit No. 3 on which the appellants claim is founded is a document and it is stipulated therein that the property should be given (back) whenever a demand is made the said exhibit is duly signed and attested and is proved and therefore it is of the nature of a document, whereas the same was held to be a Sama dustak and

MEMORANDUM OF COSTS incurred in Special Appeal No. 530

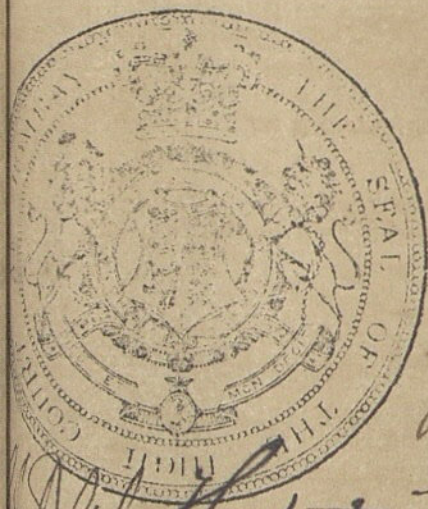
of 186 *A* against the decision of the *Acting Judge* of the District of *Sholapur* and disposed of on the *7th December* by *confirming the same with costs.*

BY THE APPELLANT—

In the District.		
In the <i>Mousiff's Court</i>	174 9"	
In the <i>Judge's Court (including V.F.)</i>	64 5"	
		238 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	5 2 "	
Sectioner's Fee	" 106.	
Vukeel's Fee	63 5 "	
		1741 6.
	Rupees.....	412 15 6

BY THE RESPONDENT

In the District.		
In the <i>Mousiff's Court</i>	64 13 "	
In the <i>Judge's Court</i>	172 4 "	
		237 1 "
In this Court.		
Stamp for Vukeelutnama	2 " "	
Vukeel's Fee	63 5 "	
		65 5 "
	Rupees.....	302 6 "



R. West
Sealer
R. West
Registrar

The 7th day of December 1864.

and a decision is given accordingly which
is an error, and that (4) if the document
or if it was proved
was proved, that it was written by the
Respondent himself the onus of proving that
the consideration of it was not received
should have been thrown on the Respond-
ent.

The Court confirms
the decree of the Acting Judge
with Costs.

R. Couch
H. Weston.

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मेठरतदि ७ मधे दिने ७११२६ ४

केमममममे २१ ६२६२०

दिकक तलडीर.

घपीरेंचउसासतो २३ ६६९४

जिपोरेंचउसासतो २३ ७६९

कीछेमेवंत

कीछेमेवंत

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(ममममममम)

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३ स्वंपकेममममे पणउपमेवं

६३६२ पकीरंघर

च्यारससत.

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२ स्वंपपकीरंघर

३०२६६

० स्वंपनरउंभंप सधिरनर

प्याघउरउंभंप

२६२ कारेमेगीउंभंपपाइउं

७१६६ उगीगापकीघउरफी.

६३६६ पकीरंघर

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True Translation
Proprietor Registration

MC