

In the High Court of Judicature, Bombay.

Monday, the 19<sup>th</sup> day of September 1864.

SPECIAL APPEAL No. 548 of 1864

Vitul Balkrishna of the Kon-  
-kan District

Appellant

(Original Defendant)

versus

Khunderav Baji of the Kon-  
-kan District

Respondent

(Original Plaintiff)

Rs. 30-5-11

The claim in the Original Suit was to redeem 3 fields & 6 pieces  
of workers land, alleged to have been mortgaged.

In Appeal No. 596 of 1863 the  
of the District of the Konkan at Amrit. Judge  
the Decree of the Hoop. P. P. who at Tanne reversed  
who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that ~~XX~~ Sub-  
-stantial errors in law in the investigation of  
the case have been made which have produced  
errors in the decision of the case upon its merits.  
in

in that <sup>(1)</sup> there is no legal evidence to shew  
that the appellant waived the right of fore-  
closure and that (2) the document N. 29 is  
misconstrued since it shews that the appel-  
lant was in possession of the property mort-  
gaged by that document as proprietor.

The court confirms the decree of the Assistant  
Judge with costs on special Appellant

Joseph Anouel  
K. Weston.

MEMORANDUM OF COSTS incurred in Special Appeal No. 548.

of 1864 against the decision of the Assistant Judge of the District of The Kowkan and disposed of on the 19<sup>th</sup> September 1864. by confirming the same with costs.

BY THE APPELLANT—

In the District.			
In the Moonsiff's Court .....	5. 6. 6	✓	
In the Ass <sup>t</sup> Judge's D <sup>o</sup> .....	1. 14. 6	✓	
In this Court.			7. 5. "
Stamp for Memorandum of Special Appeal .....	2. " "	✓	
Stamps for copies of Decree and Judgment .....	3. " "	✓	
Stamp for Vukeelutnama .....	2. " "	✓	
Batta for Process and Postage .....	1. 2. "	✓	
Sectioner's Fee .....	1. 7. 6	✓	
Vukeel's Fee .....	" 14. 6.	✓	
			10. 8. "
			Rupees.... 17. 13. "

BY THE RESPONDENT.

In the District.			
In the Moonsiff's Court .....	12. 6. 6.	✓	
In the Ass <sup>t</sup> Judge's D <sup>o</sup> .....	6. " 6	✓	
In this Court.			18. 7. "
Stamp for Vukeelutnama .....	2. " "	✓	
Vukeel's Fee .....	" 14. 6.	✓	
			2. 14. 6
			Rupees.... 21. 5. 6.



*Ch. Sumner*

*Ch. Sumner acting Registrar  
In Seal*

*the 19<sup>th</sup> day of September 1864.*