

In the High Court of Judicature, Bombay.

Thursday, the 6th day of October - 1864.

SPECIAL APPEAL No. 550 OF 1864.

Aurostrav bid App.
- prajavad of the Poona
District - (Original Plaintiff)

Appellant,

versus

Khosaji bid Somad-
ji Inaleo of the Poona
District - (Original Defendant)

Respondent,

Rs. 518 - - -

The claim in the Original Suit was to ^{obtain possession of} ~~obtain~~ ^{some} ~~some~~ and ^{undisputed} ~~undisputed~~ to Plaintiff, and a sum of money due as in-
terest on the mortgage bond.

In Appeal No. 107 of 1863 the Judge
of the District of Poona at Poona amended
the Decree of the Sup. Ct. who had awarded the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) sub-
stantial errors in law in the in-
vestigation of the case have been
made which have produced errors
in

in the decision of the Case upon its
merits, in that the District Judge's
decree is opposed to the Respondent's
admission in document N^o 11 to the
effect that the amount due on the
bond sued upon, had not been paid
off, that (2) the District Judge has
misconstrued the document N^o 11 in
holding that it shews that the appel-
lant did not consider the mortgage
foreclosed at the time of its execu-
tion; that (3) the Respondent is
not having paid the money with-
in the time specified in the mort-
gaged bond the property is fore-
closed according to its terms: and
that (4) the District Judge has
omitted to fix the time within
which the payment is to be made
by the Respondent to the appel-
lant.

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

Joseph Arnold
Abraham Forbes.
Att'y for Defendant

MEMORANDUM OF COSTS incurred in Special Appeal No. 550

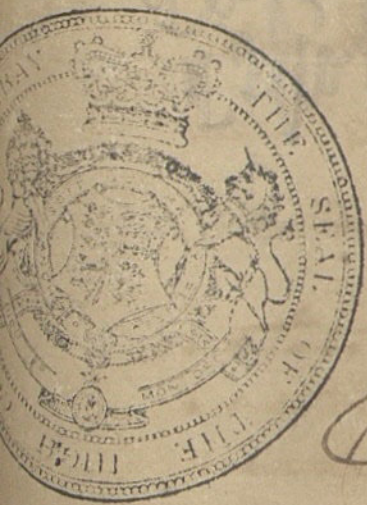
of 186 4. against the decision of the Judge of the
 District of Poona and disposed of on the 6th Oct^r 1864
 by Confirming the same with costs

BY THE APPELLANT—

<i>In the District.</i>			
In the Moonjeff's Court	56 88		
In the Judge's Court	16 88		
<i>In this Court.</i>			73 14
Stamp for Memorandum of Special Appeal	32 "		
Stamps for copies of Decree and Judgment	3 "		
Stamps for Vukeelutnama s. two	4 "		
Batta for Process and Postage	2 2 "		
Sectioner's Fee	" 11 "		
Vukeel's Fee	15 88	57 58	
		Rupees	130 7 "

BY THE RESPONDENT.

<i>In the District.</i>			
In the Moonjeff's Court (including Fee)	32 88		
In the Judge's Court	50 12 11		
<i>In this Court.</i>			83 5 7
Stamp for Vukeelutnama	2 "		
Vukeel's Fee	15 88	17 88	
		Rupees	100 14 3



[Signature]
 For Sealer

[Signature]
 For Acting Registrar

The 6th day of October 1864