

In the High Court of Judicature, Bombay.

Thursday, the 13 day of October 1864

SPECIAL APPEAL No. 573 of 1864.

Mohomed Ibrahim Valud  
Sardar of the Rutnagiri  
Collectorate. ————  
Appellant,  
  
————— (Original Plaintiff)

versus

Mohomed Ibrahim Valud  
Abdool Rajah of the Rutnagiri  
Collectorate. ————  
Respondent,  
  
————— (Original Defendant)

Rs. 30-4-9

The claim in the Original Suit was to recover Rs 2-12-8 on account of  
"multha" & "hall" of certain land cultivated by Mohomed Ibrahim Valud  
Abdool Rajah.

In Appeal No. 11 of 1861 the Acting Collector  
of the District of Rutnagery at Rutnagery reversed  
the Decree of the Munsif at the same who had decreed No 30-4-9 of the  
claim & decreed that Mohomed Ibrahim Valud Abdool Rajah pay  
Rs 2 on his land at the same rates.

A Special Appeal was preferred in the High Court on the grounds that (1) the  
decision of the Acting Collector is contrary to  
Law in that it is incompetent for a Revenue Court  
to

to determine whether the land to recover  
rent for which the present suit is institu-  
-ted is Dhara (Government assessed) land  
or Khotee land because under act 16<sup>th</sup>  
of 1836 the business of determining whether  
a tenant or a Khot is the proprietor of  
land falls within the jurisdiction of a<sup>th</sup>  
Civil Court and that (2) there has  
been a substantial error in law in the  
investigation of the case which has<sup>th</sup>  
produced error in the decision of the  
case upon its merits in that the case was  
decided without settling any issues

The Court confirm the  
Decree of the Collector with costs  
on Spl. Appl.

H. P. S. S. S.  
M. W. S.

MEMORANDUM OF COSTS incurred in Special Appeal No. 573.

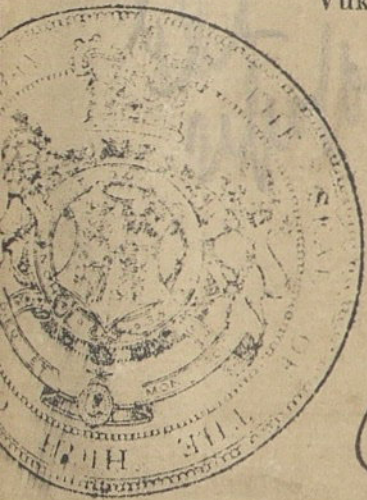
of 1864. against the decision of the Acting Collector of the District of *Beluagiri* and disposed of on the 13 Oct<sup>r</sup> 1864 by *Confirming the same with costs*.

BY THE APPELLANT—

<i>In the District.</i>			
In the <i>Mamtedars Courts</i> .....	125	✓	
In the <i>Collector's Court (Mamtedars v. Fee)</i> .....	1 146	✓	
			14.36 ✓
<i>In this Court.</i>			
Stamp for Memorandum of Special Appeal .....	2 "	✓	
Stamps for copies of Decree and Judgment .....	3 8 "	✓	
Stamp for Vukeelutnama .....	2 "	✓	
Batta for Process and Postage .....	1 3 "	✓	
Sectioner's Fee .....	1 5 9	✓	
Vukeel's Fee .....	" 14 6	✓	10 15 3 ✓
			Rupees.... 25 2 9 ✓

BY THE RESPONDENT.

<i>In the District.</i>			
In the <i>Mamtedars Courts</i> .....	9 4 3	✓	
In the <i>Collector's Court</i> .....	9 11 6	✓	
			18 15 9 ✓
<i>In this Court.</i>			
Stamp for Vukeelutnama .....	2 "	✓	
Vukeel's Fee .....	" 14 6	✓	2 14 6 ✓
			Rupees.... 21 14 3 ✓



*[Signature]*  
*Judicial Officer*

*[Signature]*  
*Collecting Negation*

*The 13 day of October 1864*