

In the High Court of Judicature, Bombay.

Thursday, the 6th day of October 1864.

SPECIAL APPEAL No. 607- of 1864.

Ambaidas Girdhar deceased
-ed his Nephew and heir,
Balgovind Gangadas -
of the Konkan Dis-
-trict - (Original Defendant) } Appellant,

versus

Nathubhai Hari-
-das of the Konkan
District - (Original Plaintiff) } Respondent,

Rs. 88-6-0-

The claim in the Original Suit was to obtain the re-impoverishment
of an attachment and execution of a decree in
part for house in Poking Talooka Bassein.

In Appeal No. 552 of 1863 the Assistant Judge
of the District of the Konkan at Tanna reversed
the Decree of the Magistrate of Bassein who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the Assistant Judge -

is against Law in that the burden
of proof has been improperly thrown
upon the Appellant who is Depen-
-dant in possession of the disput-
-ed property in his own right, and
not under a title derived through
the Respondent's judgment debtor,
and that (2) the Respondent is
estopped by decree Exhibit N^o 5
from proceeding against the ap-
-pellant. -

The Court confirms the decree of the
Assist^t Judge with costs.

H. C. Weston,

A. M. Warden

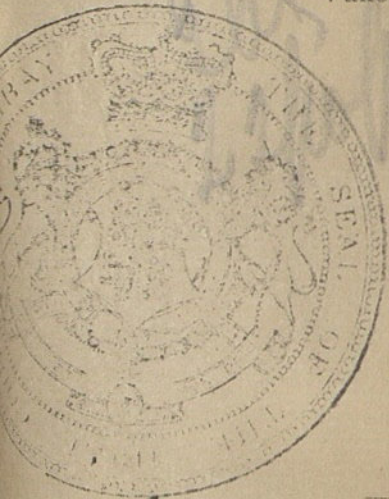
MEMORANDUM OF COSTS incurred in Special Appeal No. 607
of 1864 against the decision of the *Astt Judge* of the
District of *the Northam* and disposed of on the 6th Oct^r 1864
by *Confirming the same with costs*

BY THE APPELLANT—

<i>In the District.</i>			
In the <i>moonseff's court</i>	18	5	5
In the <i>astt judge's court</i>	3	25	5
			21 2 10
<i>In this Court.</i>			
Stamp for Memorandum of Special Appeal	8	"	5
Stamps for copies of Decree and Judgment	3	"	"
Stamp for Vukeelutnama <i>s. Tara</i>	4	"	"
Batta for Process and Postage	1	1	"
Sectioner's Fee	2	"	6
Vukeel's Fee	2	10	5
			20 11 11
	Rupees....	41	14 9

BY THE RESPONDENT.

<i>In the District.</i>			
In the <i>moonseff's court</i>	22	6	5
In the <i>astt judge's court</i>	12	10	5
			35 " 10
<i>In this Court.</i>			
Stamp for Vukeelutnama	2	"	"
Vukeel's Fee	2	10	5
			4 10 5
	Rupees....	39	11 3



[Signature]
For Sealer

[Signature]
For Acting Registrar

The 6th day of October 1864.