

1864

In the High Court of Judicature, Bombay.

On day, the 18th day of April 1864.

SPECIAL APPEAL No. 61 - of 1864.

Abhimanyu Wulud Guj -
- mul Patil of the Shau -
- desh District (Original Defendant)

Appellant,

VERSUS

Kusundas Wulud -
Devidas Aguroale of the
Shandesh District (Original Plaintiff)

Respondent,

Rs. 531 - " - "

The claim in the Original Suit was to recover balance
of an account.

In Appeal No. 75 of 1863 the Acting Judge
of the District of Chandesh at ~~Chandesh~~ Ahmedneder
the Decree of the Dyff of Jaurner who has admitted the
claim against Shamlal only, and
admitted the claim against Abhimanyu
also.

A Special Appeal was preferred in the High Court on the grounds that (1) a
substantial error in law in the inves -
- tigation of the case has been made -
which has produced error in the deci -

- sion

view of the case upon its merits in -
 that Appellants admission should -
 have been received as a whole and not
 in part and further that there is -
 nothing in the admission to shew -
 that the money was taken on account
 of the Shop; and that (2) the Onus of -
 shewing that the money was borrowed
 on account of the shop, and the Appel-
 -lant is liable for it, should have -
 been thrown on the Respondent.

The Court con form
 the decree of the Acting
 Dist. Judge with costs.

At Witness Finkes;
 H.P. Tucker.

Bill of Costs

By the Appellant

In the District

In the Moonieffs Court (including % fee) — 29.13.11
 In the Judge's Court. ————— 16. 6.11
 46.4.10

In this Court

Stamp for Writs. of Special appl^y — 32 " " "
 Stamps for Copies of decree & Judgment 4 " " "
 Do^o for two Vakalatnamas ————— 4 " " "
 Batta for Process and Postage ————— 2. 2. "
 Sectioner's Fee ————— 1. 4. 9
 Wikeel's Fee ————— 15. 14. 11
 59. 5. 8.

Rspees 105.10.6

By

By the Respondent
In the District

In the Mooniffs' Court _____ 153. 6. 11.

In Judges Court _____ 51. 1. " 204. 7. 11

In this Court _____

Rspees 204. 7. 11



R West
Registrar

R West
Sealer
The 18. day of April 1864.