

In the High Court of Judicature, Bombay.

Thursday, the 13 day of October 1864

SPECIAL APPEAL No. 621 of 1864

Lakshumon Wulud Arjoon  
of the Ahmednugur District

Appellant,

(Original Plaintiff)

versus

Koosa Wulud Mar Kundia  
and Bhikas Wulud Kondaji  
of the Ahmednugur District

Respondents

(Original Defendants)

Rs. 63-8-11

The claim in the Original Suit was to

recover four fields

In Appeal No. 443 of 1863 the Judge  
of the District of Ahmednugur at Ahmednugur confirmed  
the Decree of the Moof at Yeola who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that ~~it~~ there  
has been a substantial error in law in  
the procedure of the case which has  
produced

produced error in the decision of the case on the merits.

(a) The Court below in fixing the date of the death of Bhika Wulud Sutwaji received inadmissible evidence, and had recourse to mere conjecture

(b) The Court below assumed without any foundation that "It is asserted that Mahadoo surnamed Rangna also died childless" and therefore found it difficult to decide how the appellant was the heir of Bhika Wulud Sutwaji.

(c) The Court has needlessly cast a suspicion upon the Revenue Records of 1825 <sup>as the appellant was prepared to produce evidence of the Rev. records of 1825</sup> showing the miras rights of Bhika Wulud Sutwaji.

(d) The claim is not barred by Limitation

The Court confirm the decree of the Ct. J. with costs on Spl. Appt

~~W. J. ...~~  
W. J. ...  
W. J. ...

MEMORANDUM OF COSTS incurred in Special Appeal No. 621.

of 186 4 against the decision of the Judge . . . . . of the  
 District of Ahmednagar and disposed of on the 13<sup>th</sup> Oct<sup>r</sup> 1864  
 by confirming the same with Costs

BY THE APPELLANT—

In the District.

In the Moonseiff's Court (including fees)	13. 2 6		
In the Judge's Court (including fees)	8 2 6		
			21 5 "

In this Court.

Stamp for Memorandum of Special Appeal . . . . .	4 " "		
Stamps for copies of Decree and Judgment . . . . .	3 8 "		
Stamp for Vukeelutnama . . . . .	2 " "		
Batta for Process and Postage . . . . .	1 13 "		
Sectioner's Fee . . . . .	" 14 3 "		
Vukeel's Fee . . . . .	1 14 6 "		
			14 1 9 "
			Rupees . . . . . 35 6 9 "

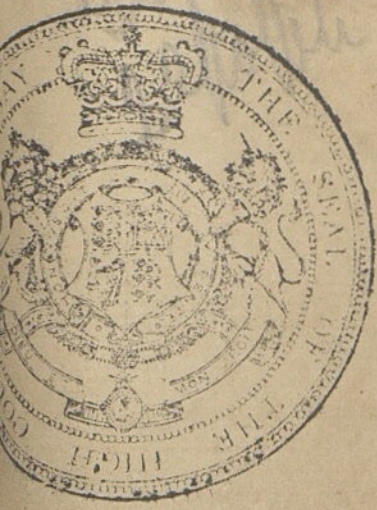
BY THE RESPONDENT.

In the District.

In the Moonseiff's Court . . . . .	17 13 "		
In the Judge's Court . . . . .	5 13 "		
			23 10 "

In this Court.

Stamp for Vukeelutnama <i>two</i> . . . . .	4 " "		
Vukeel's Fee . . . . .	1 14 6 "		
			5 14 6 "
			Rupees . . . . . 29 8 6 "



*Subast*  
 For Sealer

*H. R. S.*  
 For Ag. Registrar

The 13<sup>th</sup> day of October 1864