

In the High Court of Judicature, Bombay.

Tues day, the 15th day of November 1864.

SPECIAL APPEAL No. 632 OF 1864

Ven. Kutrav and Waman Ramchund
=dr deceased, his sons and heirs
Ramchundr and Shridhur minors
by their mothers Yamoona Bai and
Kiryabai and Balwant Rao Re-
=ghoonath and Balwant Rao Ram-
Chundr Burwe of the Ahmednugur
District — (Original Defendants.)

Appellants.

VERSUS

Gopal Rao Malhar Burwe of
the Ahmednugur District —

Respondent

(Original Plaintiff)

Rs. 1000 — " — " —

The claim in the Original Suit was to *remove a share of a kw.*
Masia & Kabbles —

In Appeal No. 60 of 1864 the *Judge.*
of the District of Ahmednugur at Ahmednugur *reversed*
the Decree of the *Mr. J. B. Harrison* who had decreed for Plaintiff
in the sum of Rs. 301.2.7. *repealing* the remainder of the
claim & decreed in favor of Plaintiff the full
amount of the claim viz Rs. 1000.

A Special Appeal was preferred in the High Court on the grounds that (1) the
decision of the District Judge is contrary to
Law in that the decree of Mr. C. M. Harrison
Judge, dated the 13th August 1860 in this
cause

cause not being appealed against estops the respondents from setting up a fixed annual claim for Rupees 250----- that (2) the finding of the Moonsiff having substantially decided the point raised by Mr Harrison and the Lower Court having virtually agreed with that finding has not affirmed that finding that (3) the Lower Court has committed an error in law in holding the fact of payment sufficient to constitute a perpetual agreement that (4) the Lower Court has decided against the admissions of the respondents and that (5) the contract set up is opposed to Hindoo Law.

The Court confirms the decree of the District Judge.

Cos on Special Appellants.

Joseph Amund

Admiral Forbes

A. M. Mason

MEMORANDUM OF COSTS incurred in Special Appeal No. 632

of 1864 against the decision of the Judge _____ of the District of *Amniednaga*, and disposed of on the 15th Nov 1864 by *confirming the same with costs*

BY THE APPELLANT.

In the District.

In the <i>Moonieff's Court (including s. 7. fee.)</i>	126 9	✓
In the <i>Judge's Court (including s. 7. fee.)</i>	22 15 5	✓
		149 8 5

In this Court.

Stamp for Memorandum of Special Appeal	50	✓
Stamps for copies of Decree and Judgment	4 8	✓
Stamp for Vukeelutnama <i>stamped</i>	4	✓
Batta for Process and Postage	1 15	✓
Sectioner's Fee	4 1 3	✓
Vukeel's Fee	30	✓
		94 8 3
Rupees....	244	8 5 ✓

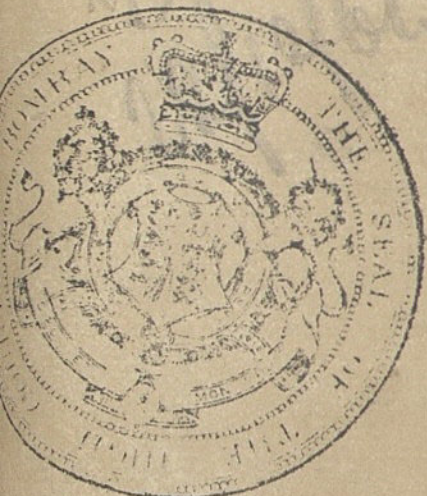
BY THE RESPONDENT.

In the District.

In the <i>Moonieff's Court</i>	156 5	✓
In the <i>Judge's Court</i>	62 15 5	✓
		219 4 5

In this Court.

Stamp for Vukeelutnama	2	✓
Vukeel's Fee	30	✓
		32
Rupees....	251	4 5 ✓



H. J. [Signature]
Asst. Registrar
For Sealer

The 15th day of November 1864