

In the High Court of Judicature, Bombay

11th day the 25th Day of January 1864

SPECIAL APPEAL No. 663 of 1864.

Pandorung Gunesch Zoshi of the Konkan District (original Defendant)

Appellant,

(Original)

versus

Kishorao Anant Zoshi of the Konkan District (original Plaintiff)

Respondent

(Original)

Rs. 5848-5-6.

The claim in the Original Suit was to recover the amount due upon two mortgage bonds with interest to be realized by ~~forcing~~ the mortgaged lands being placed in his possession

In Appeal No. 204 of 1863 the District Judge of the District of the Konkan at Tanjavur annulled the Decree of the District Judge at Tanjavur who had decreed for the claim by diminishing the amount awarded to be realized

A Special Appeal was preferred in the Sudder Court on the grounds, that (1) The decision of the District Judge is contrary to law, in that a claim founded on a document cannot come within the statute of limitation unless

unless there be another writing according
 to section 4 of Regulation II of 1827, and therefore
 it was contrary to law to have awarded the
 claim which was founded on a document
 more than 12 years old, & the award of
 interest is contrary to law; that (2) there has
 a substantial error in law has occurred
 in the investigation of the case, in that one of
 the villages being in Ahmednagar District
 the lower Court was in error in awarding
 it to the Respondent.

As
 drawn by the RW
 the Court below with costs on the
 Appellant

By the Court Confirmed

R Couch
 A M Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 663

of 1864 against the decision of the *Acting Judge* of the District of the *Honkum* ^{*Trinidad*} at and disposed of on the 25th January 1865 by *Confirming the same with costs on the Appellant.*

BY THE APPELLANT—

In the District.			
In the <i>Principal Sudder Ameen's Court</i>	348	7	✓
In the <i>Judge's Court</i> —	884	15	✓
<i>In this Court.</i>			
Stamp for Memorandum of Special Appeal	250	✓	✓
Stamps for copies of Decree and Judgment	3	✓	✓
Stamp for Vukeelutnama	2	✓	✓
Batta for Process and Postage	4	15	✓
Sectioner's Fee	2	126	✓
Vukeel's Fee	136	155	✓
		399	10 11 ✓
		Rupees....	1633 " 11 ✓

BY THE RESPONDENT.

In the District.			
In the <i>Principal Sudder Ameen's Court</i>	862	8	✓
In the <i>Judge's Court</i>	372	4	✓
<i>In this Court.</i>			
Stamp for Vukeelutnama	2	✓	✓
Vukeel's Fee	136	155	✓
		138	15 5 ✓
		Rupees....	1373 11 5 ✓



H. J. J.

1st Asst. Registrar

H. J. J.