

In the High Court of Judicature, Bombay.

Mon day, the 21st day of November 1864.

SPECIAL APPEAL No. 679 of 1864.

Moro bin Koshaba and Sukharam +
Wahud Anaji and Baboorav bin Luktshman
and Kashiath bin Ramrav of the
Ahmednagar District

Appellants,

(Original Defendants.)

versus

Chinnaji and Govindrav bin Sukhoji
of these Govindras deceased, his sons
and heirs Babaji and Sukharam
a minor by his brother and guardian
Babaji bin Govindrav of the Ah-
mednagar District

Respondents,

(Original Plaintiffs)

Rs. 21— 12—

The claim in the Original Suit was to recover from the Defend-
ants 3 fields

In Appeal No. 150 of 1861 the Acting Assis^t Judge
of the District of Ahmednagar at Ahmednagar reversed
the Decree of the S. A. of Beeroor - who had thrown out the claim &
allowed the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) the

decision of the acting assistant Judge is
contrary to law in that he has admitted
illegal

illegal evidence to establish that Respondents had possession under the deed of gift that (2) by acting assistant judges own shewing, possession did not pass during the lifetime of Venkaji one of the donors wherefore the gift was invalid that (3) the acting assistant judge has awarded the claim although he finds one of the donors under whom Respondents claim had no power to make the gift and that (4) the acting assistant judge erroneously assumed that Pirtace's name was gratuitously entered in the Deed of sale the presumption being just the reverse.

The Court confirms the decree of the Act. Assistant Judge.

Costs on Special Appellant.

Joseph Arnold
Newton.
Att. Gen. Pucker,

MEMORANDUM OF COSTS incurred in Special Appeal No. 679.

of 1864. against the decision of the Acting Spt Judge of the District of Ahmednugur and disposed of on the 21st Novr 1864. by confirming the same.

BY THE APPELLANTS

IN THE DISTRICT.

In the Sudder Amcees Court 15 " 11
 In the Assistant Judge's D^o - 11 13 6

26 14 5

IN THIS COURT.

Stamp for Memorandum of Special Appeal 2 " "
 Stamps for copies of Decree and Judgment 4 8 "
 Stamp for Vukalutnama 2 " "
 Stamp of an application to enter the name of the Appellant's heir " "
 Batta for Process and Postage 1 7 "
 Sectioner's Fee 2 9 "
 Vukeel's Fee " 10 5

13 2 5

Rupees.... 40 " 10

BY THE RESPONDENTS

IN THE DISTRICT.

In the Sudder Amcees Court 16 9 5
 In the Assistant Judge's D^o 13 7 "

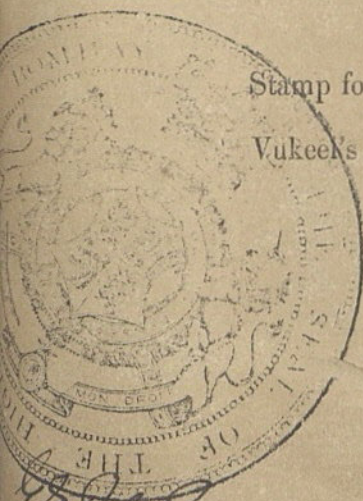
30 " 5

IN THIS COURT.

Stamp for Vukalutnama 2 " "
 Vukeel's Fee - 10 5

2 10 5

Rupees.... 32 10 10



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 Plaintiff's Registrar