

Ponar Solapur

In the High Court of Judicature, Bombay.

Monday, the 21 day of November 1864

SPECIAL APPEAL No. 682 of 1864.

Gungaram bin Mahada  
Satpute Chamber  
of the Poona District  
(Original Defendant)

Appellant

versus

Saaji bin Shidooji  
Sanowney Chamber  
of the Poona District  
(Original Plaintiff)

Respondent

Rs. 30 - - -

The claim in the Original Suit was to have Gungaram ejected from a room in Saaji's possession -

In Appeal No. 401 of 1863 the P. S. Mulla -  
of the District of Poona at Poona reversed  
the Decree of the Muzal Poona who had allowed the  
claim, & awarded for Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that (1) a  
substantial error in law has occurred  
in the investigation of the case  
which

which has produced error in the  
decision of the case upon its merits  
in that the proper point has not  
been laid down for investigation  
the real point at issue was as  
follows. two rooms of the house  
in dispute belong to the Appellant  
and the Respondent and it has four  
beams then if the two rooms be-  
long to one & the same owner the  
house should have three beams &  
if there are four the ownership of  
the rooms belongs to two persons  
therefore the decision instead of having  
been pronounced upon verbal testi-  
mony ought to have been pronounced  
after a personal inspection of the  
premises or of a plan that (2)  
the appellant has been in  
possession and that as out of the  
four beams of the houses the  
two

MEMORANDUM OF COSTS incurred in Special Appeal No. 682

of 1864 against the decision of the P. S. Amie of the District of Poona and disposed of on the 21 Nov. 1864 by confirming the same with costs

BY THE APPELLANT—

In the District.

In the Moonsiff Court ..... 8 65 ✓

In the Principal S. Amie's Court ..... 1 14 5 ✓

In this Court.

Stamp for Memorandum of Special Appeal ..... 2 .. ✓

Stamps for copies of Decree and Judgment ..... 1 8 .. ✓

Stamp for Vukeelutnama ..... 2 .. ✓

Batta for Process and Postage ..... " 12 .. ✓

Sectioner's Fee ..... " 12 .. ✓

Vukeel's Fee ..... " 14 5 ✓

Rupees.... 18 3 3 ✓

BY THE RESPONDENT.

In the District.

In the Moonsiff Court ..... 7 10 5 ✓

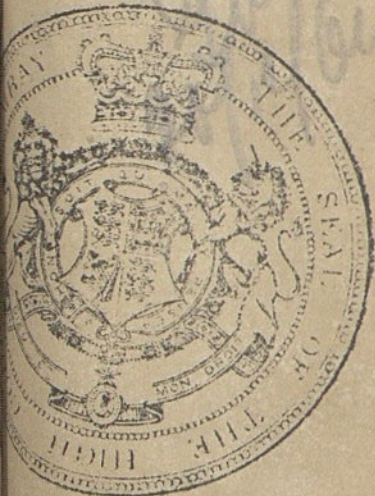
In the Principal S. Amie's Court ..... 4 5 11 ✓

In this Court.

Stamp for Vukeelutnama ..... 2 .. ✓

Vukeel's Fee ..... " 14 5 ✓

Rupees.... 14 16 9 ✓



*[Handwritten signatures]*  
 For Sealer  
 Plaintiff Registrar

The 21st day of November 1864

two middle ones one of each of  
the two rooms are in contact  
with one another it ought to have  
been decided whether one or two  
persons were the owners of the rooms  
in question according to the usage  
of the country and that (3) as the  
Appellant's right of ownership  
is accompanied by possession  
the burden of proof of the terms  
on which the Respondent had let  
the room to the Appellant ought  
to have been thrown on the Respondent  
instead of on the Appellant.

The Court confirms the  
decree of the P. C. A. with costs  
in App't.

Atminal Forbes

A. M. Warden