

In the High Court of Judicature, Bombay.

Tues day, the 22 day of Nov 1864

SPECIAL APPEAL No. 698 of 1864.

Yaduvrao bin Mookoondrao
Kudum /hot of the Koolaba } Appellant

Sub Collectorate (Original Plaintiff)

versus
Nasaji bin Manoj and his security

Trimbukrao bin Vitulrao Kudum /hot } Respondents

Koolaba Sub Collectorate (Original Defendants)

Rs. 32-...

The claim in the Original Suit was to recover suit off land -

In Appeal No. 1 of 1864 the High Court of the District of Solapur at Solapur reversed the Decree of the Munsif of Solapur who had thrown out the claim for 1784 & awarded that for 1785 - & threw out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) there has been a substantial error in law in the investigation of the case which has produced an error in the decision of the case upon its merits

in that there has been an error in laying
down the principal point for decision,
the real issue to be determined being whether
since the respondents admit having
passed the Kubooluyut No 2 and cul-
-tivated the field, the principal de-
-pendant had authority from the ap-
-pellant to pay rent to the party to whom
he alleges to have paid. This point
was omitted in the decision of the case;
and that (2) the surety defendant
having admitted the claim ^{the claim} against him,
should not have been thrown out.

The Court is of the opinion that the
decree of the sub-judice is with
costs on the appellant.

Abraham Forbes

A. J. Warden

MEMORANDUM OF COSTS incurred in Special Appeal No. 690

of 1864 against the decision of the Actg Sub Collector of the Sub
~~Collectorate~~ District of Koolabew and disposed of on the 22nd Nov 1864
 by Confirming the same with costs

BY THE APPELLANT—

In the District.

In the *Mauledar's Court*..... 12 68 ✓

In the *Sub Collector's Court*..... 5 74 ✓

In this Court.

Stamp for Memorandum of Special Appeal 4 " ✓

Stamps for copies of Decree and Judgment 2 8 " ✓

Stamp for Vukeelutnama 2 " ✓

Batta for Process and Postage 1 8 " ✓

Sectioner's Fee " 11 9 ✓

Vukeel's Fee " 15 4 ✓

Rupees.... 29 91 ✓

BY THE RESPONDENT

In the District.

In the *Mauledar's Court*..... 4 14 8 ✓

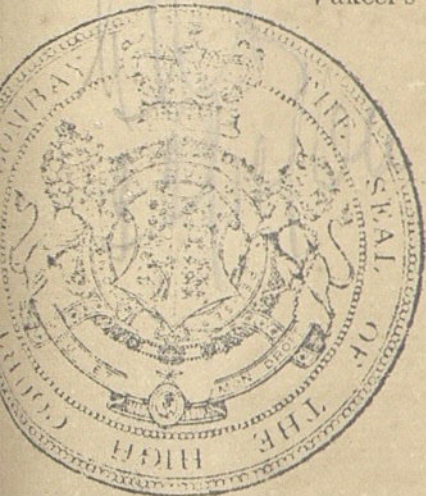
In the *Sub Collector's Court*..... 4 74 ✓

In this Court.

Stamp for Vukeelutnama " " "

Vukeel's Fee " " "

Rupees.... 96 ✓



H. Rusty
 For Deputee

H. Rusty
 1st Assistant Reg.

The 22nd day of November 1864