

In the High Court of Judicature, Bombay.

Thursday, the 24 day of November 1864

SPECIAL APPEAL No. 721 OF 1864.

Arayun W<sup>o</sup> Ramrav & Paudos W<sup>o</sup> Anurota and  
Sukhos W<sup>o</sup> Govinda and Vitoo W<sup>o</sup> Ganoo & Mahadeo  
W<sup>o</sup> Bapoo & Pustoon W<sup>o</sup> Mulipute & Shundoo W<sup>o</sup>  
Ranoo & Babaji W<sup>o</sup> Bhugvanta & Sukshooman W<sup>o</sup>  
Joti and Bulvanta W<sup>o</sup> Arayun & Sukshoo  
W<sup>o</sup> Geyram and Vitoo W<sup>o</sup> Bapoo & Ganoo  
W<sup>o</sup> Anurota of the Sholapoor Collectorate  
(Original Defendants)

Appellants,

versus

Ramrav bin Dhikaji Patil  
Jugdule of the Sholapoor Collecto-  
rate

Respondent

(Original Plaintiff)

Rs. 44. - - -

The claim in the Original Suit was to restrain hereinafter of the  
other defendants from stopping up a water course which  
passed through their fields & thus preventing the  
water from flowing into the field of Ramrav.

In Appeal No. of 1864 the collector  
of the District of Sholapoor at Sholapoor was  
the Decree of the Magistrate of Baroo who had decreed for the  
Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that there has  
been a substantial error in law in the investiga-  
tion of the case which has produced error in the de-  
cision of the case upon its merits.

In

1<sup>st</sup> In that the Collector has not stated the first point for decision correctly, it being, Has Plaintiff proved his right to the water course or water in question, and not whether the question of usage had been rightly decided according to usage.

2<sup>nd</sup> In that the collector has erroneously rejected from consideration the evidence which showed that appellant alone paid the water rate, which would show that he alone was entitled to the water.

3<sup>rd</sup> In that the Collector has given no reasons for his finding on the first issue as he was bound by law to do.

The Court therefore the  
Decree of the Collector with costs in  
app. apppt.

Abraham Lincoln

W. W. W. W.

MEMORANDUM OF COSTS incurred in Special Appeal No. 721

of 186 *A* against the decision of the *Collector* of the District of *Shalapur* and disposed of on the 24<sup>th</sup> November 1864 by *confirming the same with costs.*

BY THE APPELLANT—

*In the District.*

In the <i>Mauledai Court</i> .....	5. 14. 1		
(including <i>Vukel's Fee</i> )			
In the <i>Collector's Court</i> .....	8. 1. 1	13. 15. 2	

*In this Court.*

Stamp for Memorandum of Special Appeal .....	4. " "		
Stamps for copies of Decree and Judgment .....	3. 8. "		
Stamp for <i>Vukeelutnama</i> <sup><i>two</i></sup> .....	4. " "		
Batta for Process and Postage .....	1. 2. "		
Sectioner's Fee .....	1. 6. 9.		
Vukeel's Fee .....	1. 5. 1.	15. 5. 10	

Rupees.... 29. 5. "

BY THE RESPONDENT.

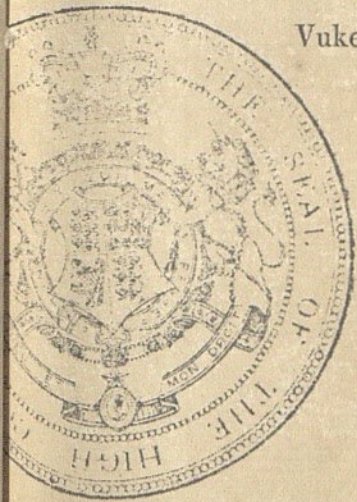
*In the District.*

In the <i>Mauledai Court</i> .....	22. 3. 7		
In the <i>Collector's Court</i> .....	1. 13. 1.	24. " 8	
(including <i>Vukel's Fee</i> )			

*In this Court.*

Stamp for <i>Vukeelutnama</i> .....	2. " "		
Vukeel's Fee .....	1. 5. 1.	3. 5. 1	

Rupees.... 29. 5. 9



*[Handwritten Signature]*

*[Handwritten Signature]*  
per *Asst. Reg.*

*For Sealer*  
The 24<sup>th</sup> day of November 1864

*[Handwritten Initials]*

मुंघर्षेची स्यायाची मरीचलमेरतांत.

~~७१२६४~~ ७१२६४

~~स्वेरीशुशुपीरंगर ७२९~~ ७१२६४

~~आलावा रमरन प्रविन मरगा ७७७ वागरे~~  
~~पीरा पीर वागणु ७७७ वागणु परिगुना ७७७~~  
~~पारिपरि वागणु ७७७ वागणु ७७७ वागणु~~  
~~पैरी पयणी ७७७ वागणु ७७७ वागणु ७७७ वागणु~~  
~~७७७ वागणु ७७७ वागणु ७७७ वागणु~~

शिपीरंग.

(मुकशाणी)

प्रतीपक्षी.

~~रमरन पीर मरीचली ७७७ वागणु~~

~~७७७~~

शिपीरंग.

(मुकशाणी)

सपणे. ७४

~~आलावा रमरन प्रविन मरगा ७७७ वागरे~~

~~पैरी पयणी ७७७ वागणु ७७७ वागणु ७७७ वागणु~~

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~~आलावा रमरन प्रविन मरगा ७७७ वागरे~~

~~पैरी पयणी ७७७ वागणु ७७७ वागणु ७७७ वागणु~~





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Translated by  
Prof. Bhausaheb  
G. ...