

In the High Court of Judicature, Bombay.

Five day, the *21st* day of *February* 1865.

SPECIAL APPEAL No. *730* - of 186*4*.

Appa and Patia bin Sittoo Appellant
of the Satara District
(Original Plaintiffs)

versus

Ramchandra and Buhvan Respondent
rao Sitoo of the Satara
District (Original Defendants)

Rs. *445* - *4* - "

The claim in the Original Suit was to recover possession of some *Tram and rivar land*, alleged to have been mortgaged to Defendants, which they refused to give up.

In Appeal No. *730* of 186*4* the *Judge* of the District of *Satara* at *Patana* reversed the Decree of the *Judge* who had awarded the claim.
P. S. Ganesh Patana

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 errors in the decision of the case upon its merits.

merits in that the District Judge has failed to decide the points on which the case was remanded to him in Special Appeal No. 354 of 1853; that (2) the District Judge was in error in raising a new issue as to the nature of the appellants claim which he has entirely misinterpreted; that (3) the Defendants should have been held bound by their admissions in the former decree which stands unreversed; and that (4) the District Judge's finding is opposed to the terms of the decree No. 3 in as much as it clearly shows that the property in dispute was mortgaged to the Defendants.

The Court confirms the decree of the District Judge.

Costs on Special Appellant.

A. Whiloch Forbes.
H. P. H. Fisher,

MEMORANDUM OF COSTS incurred in Special Appeal No. 730

of 186 4 against the decision of the Judge _____ of the District of Satara and disposed of on the 21st February 1865 by confirming the same with costs

BY THE APPELLANT

IN THE DISTRICT.

In the Principal S ^r Amies Court	52	7	9		
In the Judges Court	38	4	7		
				90	124

IN THIS COURT.

Stamp for Memorandum of Special Appeal	34	"	"		
Stamps for copies of Decree and Judgment	3	"	"		
Stamp for Vukalutnama	2	"	"		
Stamp of an application to enter the name of the Appellant's heir		"	"		
Batta for Process and Postage	2	3	6		
Sectioner's Fee	2	1	"		
Vukeel's Fee	13	5	9	56	103

Rupees.... 147.67

BY THE RESPONDENT

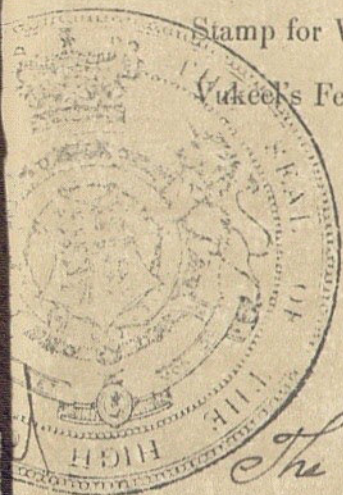
IN THE DISTRICT.

In the Principal S ^r Amies Court	5	8	"		
In the Judges Court	83	4	8		
				88	128

IN THIS COURT.

Stamp for Vukalutnama	2	"	"		
Vukeel's Fee	13	5	9	15	59
				104	25

Rupees.... 104.25



W. J. J. J.
R. West
 The 21st day of February 1865
 Sealer Registrar