

In the High Court of Judicature, Bombay.

Monday, the 28 day of November 1864

SPECIAL APPEAL No. 731 of 1864

Rungoo Jeydevsett Shimpri
of the Khandesh District

Appellant,

(Original Plaintiff)

versus

Annaji Huled Jeydev Shimpri
of the Khandesh District

Respondent,

(Original Defendant)

Rs. 1600 ———

The claim in the Original Suit was to *reverse the value of his*
share of an undivided common property.

In Appeal No. *47* of 1864 the *Judge*
of the District of *Shoolie* — at *Shoolie* reversed
the Decree of the *Moof ul-Theyora* who *had awarded the claim and*
threw out the claim.

A Special Appeal was preferred in the High Court on the grounds that ~~the~~ a

substantial error in law in the investiga-
tion of the case has been made which
has

has produced error in the decision
of the case upon its merits in that (1)
the onus of proof is wrongly thrown
upon the appellant & that (2) the
District Judge has misconstrued the
appellant's admission since he has
not admitted therein that the
amount received by him was on
account of the undivided family
property of which the Respondent
was the manager.

The Court was in the
error of the District Judge with costs
in the appellant's favor.

Attest
Attest

Attest
Attest

MEMORANDUM OF COSTS incurred in Special Appeal No. 731

of 1864 against the decision of the Judge of the District of Khawesh - and disposed of on the 20th Nov 1864 by confirming the same with costs

BY THE APPELLANT—

In the District.

| | | |
|-------------------------------|---------|--------|
| In the Moonjeff's Court | 193 7/8 | ✓ |
| In the Judge's Court | 48 8 | ✓ |
| | | 241 15 |

In this Court.

| | | |
|--|------|---------|
| Stamp for Memorandum of Special Appeal | 50 | ✓ |
| Stamps for copies of Decree and Judgment | 38 | ✓ |
| Stamp for Vukeelutnama | 2 | ✓ |
| Batta for Process and Postage | 3 | ✓ |
| Sectioner's Fee | 1 19 | ✓ |
| Vukeel's Fee | 48 | ✓ |
| | | 107 9 2 |
| Rupees | | 349 8 9 |

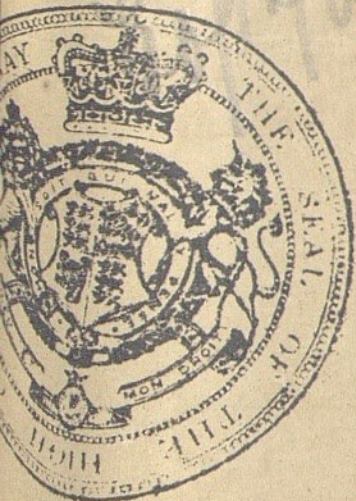
BY THE RESPONDENT.

In the District.

| | | |
|-------------------------------|----------|----------|
| In the Moonjeff's Court | 50 | ✓ |
| In the Judge's Court | 101 15 9 | ✓ |
| | | 151 15 9 |

In this Court.

| | | |
|------------------------------|----|----------|
| Stamp for Vukeelutnama | 2 | ✓ |
| Vukeel's Fee | 48 | ✓ |
| | | 50 |
| Rupees | | 201 15 9 |



H. D. Rush
1st Assst Registrar

H. D. Rush
For Sealer
The 28th day of November 1864