

In the High Court of Judicature, Bombay.

Wednesday, the 30th day of November 1864.

SPECIAL APPEAL No. 766 of 1864.

Krishnaji b/w Narayan
Bhoslay Patil of the Saltara
District (Original Plaintiff) } Appellant

versus

Babaji b/w Shekaji Jug-
dale of the Saltara
District " " } Respondent
(Original Defendant)

Rs. 3-12-00

The claim in the Original Suit was to recover possession of certain Govt. land, alleged by Plaintiff to be his Inheritance.

In Appeal No. 766 of 1864 the Judge of the District of Saltara at Saltara on a remand of the Decree of the High Court reversed the decree of the Juff. of Saltara who had awarded the claim.

A Special Appeal was preferred in the High Court on the grounds that the decision of the District Judge is contrary to Law in that,

(1) The Lower Court has erred in hold

- ing that "Miras" ought to be proved
by "some kind of written evidence!"

(2) The Lower Court has erred in hold-
- ing that "it requires something
" more than mere hereditary occu-
" - pation to constitute a Mirasdar."

(3) The Lower Court has committed
an error in holding that a Miras-
- dar is "no better than any go-
- vernment ryst" under the Survey
rules.

(4) The Lower Court has erred in in-
- porting its beliefs & its theories about
Mirasdars into its judgment.

(5) The judgment is opposed to the
common Law of the country.
The Court confirms the decree of
the District Judge.
Costs on Special Appellant.

Attest: Asst. Secy. to Govt.
H. P. S. S. S.

MEMORANDUM OF COSTS incurred in Special Appeal No. 766

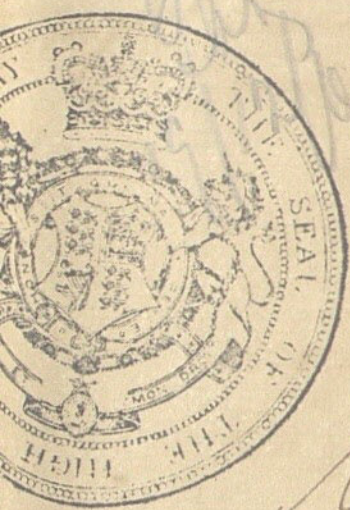
of 1864 against the decision of the Judge ----- of the District of Satara and disposed of on the 30th Nov^r 1864 by Confirming the same with Costs

BY THE APPELLANT—

In the District.				
In the Moonsiff's Court	5	"	10	✓
In the Judge's Court	8	3	10	✓
In this Court.				
Stamp for Memorandum of Special Appeal	1	"	"	✓
Stamps for copies of Decree and Judgment	2	8	"	✓
Stamp for Vukeelutnama	2	"	"	✓
Batta for Process and Postage	"	8	"	✓
Sectioner's Fee	1	6	"	✓
Vukeel's Fee	"	1	10	✓
				7. 7. 10 ✓
				Rupees.... 20 12 6 ✓

BY THE RESPONDENT.

In the District.				
In the Moonsiff's Court	2	2	10	✓
In the Judge's Court	4	14	10	✓
In this Court.				
Stamp for Vukeelutnama	2	"	"	✓
Vukeel's Fee	"	5	10	✓
				7 " 11 ✓
				2 1 10 ✓
				Rupees.... 9 2 9 ✓



R. West
Sealer

R. West
Registrar

The 30th day of November 1864