

In the High Court of Judicature, Bombay.

Wednesday, the 20th day of November 1864.

SPECIAL APPEAL No. 772 of 1864.

Vithal Paruchund of  
the Sattara District

Appellant

(Original Plaintiff.)

versus

Moreswarbhat deceased, his  
sons & heirs Vinayak, Gopal, and  
Nishwanath Deodhar of the  
Sattara District.

Respondents.

(Original Defendants.)

Rs. 1,438-3-11

The claim in the Original Suit was to recover a bond; and  
to recover damages for repairs done during the  
time the mortgaged property was in his possession.

In Appeal No. 90 of 1864 the Act. Judge  
of the District of Sattara at Sattara reversed  
the Decree of the Inf. Pundharyho had thrown out the claim.

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

(1) The Lower Court has erred in its

awarding against the other property  
inherited by the Defendants from Mo.  
reshwar Bhat.

- (1) The Lower Court has decided against  
Hindoo Law in not holding sons liable  
for the debts of their father.
- (2) The District Judge is wrong in hold-  
ing that the terms of the mortgage  
deed preclude the appellant from  
pursuing other remedies.
- (4) The Lower Court is wrong in not de-  
-creeing the sale of the whole property  
mortgaged.

The Court conforms the decree of  
the District Judge.

Costs on Special Appellant.

Wm. J. Forbes  
H. P. J. [unclear]

MEMORANDUM OF COSTS incurred in Special Appeal No. 772

of 1864 against the decision of the Acting Judge of the District of Satara — and disposed of on the 30<sup>th</sup> Nov. 1864 by confirming the same with costs

BY THE APPELLANT—

In the District.			
In the moonieffs court	.....	114	3 10 ✓
In the judges court	.....	97	12 4 ✓
In this Court.			212. a 2. ✓
Stamp for Memorandum of Special Appeal	.....	50	" ✓
Stamps for copies of Decree and Judgment	.....	3	" ✓
Stamp for Vukeelutnama	.....	2	" ✓
Batta for Process and Postage	.....	7	4 " ✓
Sectioner's Fee	.....	1	4 " ✓
Vukeel's Fee	.....	43	2 4 ✓
			106. 10 4 ✓
		Rupees....	318 106. ✓

BY THE RESPONDENT.

In the District.			
In the moonieffs court	.....	107	15 8 ✓
In the judges court	.....	88	4 8 ✓
In this Court.			196. 4 4 ✓
Stamp for Vukeelutnama	.....	2	" ✓
Vukeel's Fee	.....	43	2 4 ✓
			45 2 4 ✓
		Rupees....	241. 6 8 ✓



West  
Sealer

West  
Registrar

The 30<sup>th</sup> day of November 1864.