

Poona & Solapur

In the High Court of Judicature, Bombay.

Thursday, the 8th day of December 1864.

SPECIAL APPEAL No. 770 of 1864.

Hunmuntao bin Bowajee
Borkur of the Poona District
(Original Defendant)

Appellant

versus

Babaji bin Amree and Nana bin
Andoaji of the Poona District
(Original Plaintiffs)

Respondents

Rs. 45-0-0

The claim in the Original Suit was to recover possession of certain ancestral Hindu lands

In Appeal No. 529 of 1863 the Principal Sudder Ameen of the District of Poona at Poona confirmed the Decree of the Mff. of Poona who had awarded the claim.

A Special Appeal was preferred in the High Court on the ground that the decision of the Principal Sudder Ameen is contrary to law in that

(a) There has been misconstruction of Exhibits 31-34 and 60-70 inasmuch as they are held to shew that

that the opposite party is the heir of Bahirji Boreker.

(b) That the genealogical tree at No. 41 has been admitted without proof.

(c) The suit is barred by the Law of Limitation.

(d) The opposite party having admitted himself to have been one of possession for more than 30 years, the claim ought not to have been allowed.

The Court confirms the decree of the P. M. Sudder Ameen.

Costs a Special Appellament.

Atmivacle Fortes

A. M. W. d.

MEMORANDUM OF COSTS incurred in Special Appeal No. 778
of 1864. against the decision of the *Princep. S. Amin* of the
District of *Poona* and disposed of on the 8th Decr 1864
by *confirming the same with costs*

BY THE APPELLANT—

<i>In the District.</i>		
In the <i>Moonsiff's Court (includ. regl. & fee)</i>	9 54	
In the <i>Princep. S. Amin's Court</i>	6 51	
		15 10 5
<i>In this Court.</i>		
Stamp for Memorandum of Special Appeal	4 " "	
Stamps for copies of Decree and Judgment	3 " "	
Stamp for Vukeelutnama <i>two</i>	4 " "	
Batta for Process and Postage	1 10 " "	
Sectioner's Fee	1 3 " "	
Vukeel's Fee	1 57	
		15 27
	Rupees.....	30 13 " "

BY THE RESPONDENT.

<i>In the District.</i>		
In the <i>Moonsiff's Court</i>	21 94	
In the <i>Princep. S. Amin's Court</i>	2 13 7	
		24 6 11
<i>In this Court.</i>		
Stamp for Vukeelutnama	2 " "	
Vukeel's Fee	1 57	
		3 57
	Rupees.....	27 12 6



R. West
Sealer

R. West
Registrar

The 8th day of December 1864