

In the High Court of Judicature, Bombay.

Fri day, the 16th day of December 1864.

SPECIAL APPEAL No. 802 OF 1864.

Yema Wulud Mhatarji Duone
of the Ahmednugur District } Appellant,

(Original Plaintiff)

versus

Tookaram Wulud Umroota
Duone of the Ahmednugur -
District } Respondent,

(Original Defendant)

Rs. 5 - 2 - "

The claim in the Original Suit was to recover possession of
four fields.

In Appeal No. 174 of 1864 the ^{Actg.} Assist. Judge
of the District of Ahmednugur at Ahmednugur reversed.
the Decree of the ^{Mag.} J. of Khulda who had awarded the claim.

A Special Appeal was preferred in the High Court on the grounds that the
Decision of the Acting Assistant Judge is contrary
to Law

1st. In that the Assistant Judge has erred

in holding there was any legal evidence
to show that Respondents have been in
possession for 30 years so as to sustain a
title by prescription to the land in dispute
it appearing from Assistant Judge's own
showing that they have been in continuous
possession from the year 1835 A. D. only -

2nd In that the Assistant Judge has erred in
holding Respondents' prescription proved be-
cause applicants were out of possession. -

The Court - confirms the Decree of the Asst. Assis-
tant Judge.

Court in Special Appellant.

Attest: Attest
H. P. H. Tucker

H. P. H. Tucker

MEMORANDUM OF COSTS incurred in Special Appeal No. 802

of 186 A against the decision of the *Asst. Judge* of the District of *Ahmednagar* and disposed of on the 16 December 1864 by *confirming the same with costs.*

BY THE APPELLANT—

In the District.

In the <i>Mousiff's Court</i>	5. 12. 5		
In the <i>Asst. Judge's Court</i>	" 10. 5	7	6. 10
<i>In this Court.</i>			
Stamp for Memorandum of Special Appeal	1	"	"
Stamps for copies of Decree and Judgment	4	"	"
Stamp for Vukeelutnama	2	"	"
Batta for Process and Postage	"	10	"
Sectioner's Fee	1	5	9
Vukeel's Fee	"	2	5
		9	2. 2
	Rupees....	16	9..

BY THE RESPONDENT.

In the District.

In the <i>Mousiff's Court</i>	12. 6. 5		
In the <i>Asst. Judge's Court</i>	2. 4. 5	14	10. 10
<i>In this Court.</i>			
Stamp for Vukeelutnama	"	"	"
Vukeel's Fee	"	"	"
		"	"
	Rupees....	14	10. 10



P. West
Registrar

P. West
Sealer
The 16th day of December 1864