

In the High Court of Judicature, Bombay.

Monday, the 9th day of July 1868

SPECIAL APPEAL No. 804 OF 1864.

Bapooobhai Girdhurdas and Bhugwan Girdhurdas deceased his son and heir Nushilal Bhugwandas a minor by his cousin and Bapooobhai of the Konkun District (Original Defendants) } Appellants,

versus

Nanibai widow of Guridas Gopal of the Konkun District } Respondent,

(Original Plaintiff)

Rs. 421 — " — "

The claim in the Original Suit was to recover certain movable property alleged to have been deposited with Bhugwandas and Bapooobhai together with damages occasioned by their wrongful detentions.

In Appeal No. 277 of 1864 the first Judge of the District of the Konkun at Tanjore amended the Decree of the Juff at Sharnor who had awarded the amounts on their claim (Rs. 1187.12.) without damages, by awarding only Rs. 421 as their value with interest from the filing of the suit.

A Special Appeal was preferred in the High Court on the grounds that the decision of the Assistant Judge is against law in that :-

(a) The Respondent had no cause of action, and

and.

- (b) If he had, the suit was barred by the statute of limitation.
- (c) The alleged award on which the lower Court's decree is founded inadmissible as evidence.
- (d) There is no legal evidence to support the Plaintiff's claim.

The Court can:
grant the decree of the Assistant
Judge with costs.

R Couch

J Newton

A Warden

MEMORANDUM OF COSTS incurred in Special Appeal No. 804
of 1864 against the decision of the Assistant Judge of the
District of the North West Provinces and disposed of on the 9 January 1865:
by confirming the same with costs.

BY THE APPELLANT—

IN THE DISTRICT.

In the Munsiff's Court	54	118		
In the Assists. Judge's C ^o	89	61		
			144	19

IN THIS COURT.

Stamp for Memorandum of Special Appeal	32	"		
Stamps for copies of Decree and Judgment	3	8		
Stamp for Wukalutnama	4	"		
Stamp of an application to enter the name of the Appellant's heir	"	"		
Batta for Process and Postage	1	6		
Sectioner's Fee	3	99		
Vukeel's Fee	12	101	57	110
			Rupees....	20137

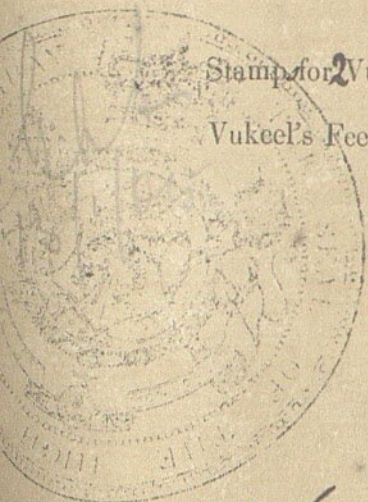
BY THE RESPONDENT—

IN THE DISTRICT.

In the Munsiff's Court	150	"	8	
In the Assists. Judge's C ^o	36	101		
			186	109

IN THIS COURT.

Stamp for Wukalutnama	4	"		
Vukeel's Fee	12	101	16	101
			Rupees....	203410



R. West
Sealer
The 9th day of January 1865

R. West
Registrar