

In the High Court of Judicature, Bombay.

Thursday day, the 21st day of April 1864.

SPECIAL APPEAL No. 82 of 1864.

Shivaji Yeshwant Kurnik of the
Ratnagiri Division of the Konkan
District (Original Plaintiffs) } Appellant,

versus

Chimnaji Junardun alias Sono
Kurnik of the Ratnagiri Division } Respondent,
of the Konkan District (Original Defendant)

Rs. 258 - - -

The claim in the Original Suit was to recover possession
after formal division of $\frac{1}{8}$ th share
of the Dhote and Coolkame written.

Ratnagiri
versed

In Appeal No. 25 of 1863 the Act. Sen. Assist. Judge
of the District of Konkan at the detached station of
the Decree of the Juff of Malvan who had awarded the
claim and threw it out with costs

A Special Appeal was preferred in the High Court on the grounds that the deci-
-sion of the Acting Senior Assistant Judge is contrary
to Law. — Acting Senior

1st In that the Assistant Judge has held that a
division

division took place in the family of such a nature as to debar appellants participation in the property in dispute without the evidence of a formal deed of separation.

2nd In that the ^{Acting Senior} Assistant Judge has totally misconstrued Appellants admissions in holding that appellant thereby admitted that a separation of the nature aforesaid had taken place.

The Court confirms the decree of the Acting Senior Assist. Judge with costs.

H. C. M. S.

Bill of costs

H. C. M. S.

By the Appellant

In the District

In the Moonuff's Court	44.3.4	
D ^o Senior App ^{ts} Judge's Court	8.3.10	52.7.2

In this Court

Stamp for Memor. of Special App ^{ts}	16"	
Stamps for Copies of decree & Judgment	3.8"	
Stamp for Vukalutuanca	2"	
Batta for Procurement & Postage	1.7"	
Sectioner's Fee	" 14.3"	
Vukels Fee	7.11.10	31.9 1/2
		<u>Rspees. 84. 3</u>

By the Respondent
In the District

In the Moonseff Court (including
V. fee) _____ 33.6.10

D^o Senior App^{ts} Judges Court _____ 26.8.10

In this Court

Stamp for Vukalutucama _____ 2 " "

Vukelb fee _____ 7.11.10

9.11.10
Rupees 69.11.6



West
Registrar

West
Sealed
The 25th day of April 1864