

In the High Court of Judicature, Bombay.

Monday, the 12 day of June 1865.

SPECIAL APPEAL No. 823 of 1864.

Chintu Vitthal Pimpoot
Her of the Kankur District
(Original Plaintiff)

versus

Shreedhar Khando Pimpoot
Her of the Kankur District
(Original Defendant)

Rs. 159/11 - 11 - 8.

The claim in the Original Suit was to recover a sum due to the Plaintiff on account of his ~~ancestral~~ hereditary property.

In Appeal No. 634 of 1864 the Assistant Judge of the District of Kankur at Tanva awarded the Decree of the ~~Assistant Judge~~ at Malwad who had awarded Rs 617.0.4 by awarding Rs 7.0.3 instead of Rs 15.8 for one ~~two~~ + Rs 2.9.0 instead of Rs 14 for another.

A Special Appeal was preferred in the High Court on the grounds that (1) the Assistant Judge's decision is contrary to law in that he erred in awarding Appellant compensation according to the Government Rates instead of calculating the damages sustained by Appellant according to the

the current market rates.

2nd In that the Assistant Judge erred in law in not requiring Respondent to produce his accounts, and in not deciding against him on his failure to do so.

3rd In that the Assistant Judge erred in not awarding Applicant's claim for 1857/8.

4 In that one part of Assistant Judge's decree is inconsistent with and repugnant to another part thereof in that whereas in one part he affirms Applicant's right to the profits from 1858/59 to 1860/61 in another part thereof negatives his claim for the year 1860/61.

5th In that the grounds on which he disallows the said claim for 1860/61 are erroneous and bad.

The Court
Confirms the decree of the Assistant
Judge with costs

J. R. Couch
Clerk.

MEMORANDUM OF COSTS incurred in Special Appeal No. 823

of 1864 against the decision of the Assistant Judge of the District of the Konkan and disposed of on the 12th June 1865 by confirming the same.

BY THE APPELLANT—

In the District.				
In the	Munsiff's Court	219	15	11 ✓
In the	Assistant Judge's Court	122	7	1 ✓
In this Court.				342 7 ✓
Stamp for Memorandum of Special Appeal	.....	50	"	" ✓
Stamps for copies of Decree and Judgment	.....	3	"	" ✓
Stamps for Vukeelutnama. two	.....	4	"	" ✓
Batta for Process and Postage	.....	3	"	" ✓
Sectioner's Fee	.....	3	11	6 ✓
Vukeel's Fee	.....	47	13	5 ✓
				111 8 11 ✓
Rupees	.....	453	15	11 ✓

BY THE RESPONDENT.

In the District.				
In the	Munsiff's Court	106	11	11 ✓
In the	Assist. Judge's Court	103	7	1 ✓
In this Court.				210 3 ✓
Stamp for Vukeelutnama	.....	2	"	" ✓
Vukeel's Fee	.....	47	13	5 ✓
				49 13 5 ✓
Rupees	.....	260	"	5 ✓



W. J. D. [Signature]
 Sealer

R. West
 Registrar

The 12th day of June 1865

મુંઘઈલૈધીરનાયાથીમરીઘઈલેડતાંત.

કામ લાભાર્થે ૧૨ માર્ચે ૧૯૧૭ ૭૧૧૦૬૨

સોફીઈઈબીઈનંધાર ૮૨૩ ૭૧૧૦૬૩

~~સંતો પાઠશાળાઈઈ - કામો પાઠશાળાઈઈ~~

બીઈઈઈ

(મુલ્ય ૧૧૨)

પ્રતીબક્ષી.

~~સંતો પાઠશાળાઈઈ - કામો પાઠશાળાઈઈ~~

બીઈઈઈ

(મુલ્ય ૧૧૨)

સાથે ૧૨૨૨-૩-૮

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Translated by
Dilip Chakrabarti
Bans
14/6/65

