

In the High Court of Judicature, Bombay.

Thurs day, the 8th day of June 1865.

SPECIAL APPEAL No. 825 of 1864.

Nawsa bin Binba a +
minor by his guardian -
Sawda Wulud Suntas and
Shondee Wulud Trimbekha of
the Ahmednagar District (Original Plaintiffs)

Appellant,

^{versus}
Rambha Wulud Buhias +
and Lakshman Wulud
Gunga of the Ahmednagar
District (Original Defendants)

Respondent,

Rs. 10-0-0

The claim in the Original Suit was to recover four fields Plaintiff
alleging that they were the wives of his family, and had
been charged 50 or 55 years ago to the Defendant's
family who claimed that on payment of the mortgage
charge ~~the~~ the fields should be restored.
In Appeal No. 825 of 1864 the ~~Assistant~~ Judge
of the District of Ahmednagar at Ahmednagar
the Decree of the ~~Assistant~~ Judge who had awarded restora-
tion of the land on the Plaintiff's paying Rs 1442 and
~~thereby~~ awarding in addition interest up to the date
of redemption at 6 p.c.

A Special Appeal was preferred in the High Court on the grounds that (1) the deci-
sion of the Acting Assistant Judge
is contrary to Law in that he erred
in not allowing the rule of Hindu
Law

Law with respect to "Dama dooptul" to operate on this case, that (2) the sitting Assistant Judge erred in awarding more than 6 years interest; and that (3) the sitting Assistant Judge erred in not making Respondent account for the profits of the land during the co-existence.

The Court amends the decree of the Assistant Judge and directs that Defendant pay Plaintiff as interest Company Rs. 175 only, being a sum equal to the principal money & Costs of this Appeal on Special Respondent.

A. H. Forbes

A. J. Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 825

of 1864 against the decision of the *Acting Spt. Judge* of the District of *Ahmednagar* and disposed of on the *8th June 1865* by *Amending the same.*

BY THE APPELLANT

IN THE DISTRICT.

In the <i>Moonisiff's Court (including Vakeel's Fee)</i>	4	12	10		
In the <i>Assistant Judge's Court</i>	9	11	11		
				10	89

IN THIS COURT.

Stamp for Memorandum of Special Appeal	1	"	"		
Stamps for copies of Decree and Judgment	3	"	"		
Stamp for <i>Vukalutnama</i> <i>two</i>	4	"	"		
Stamp of an application to enter the name of the Appellant's heir	"	"	"		
Batta for Process and Postage	1	6	"		
Sectioner's Fee	1	2	6		
Vukeel's Fee	"	4	10	10	134

Rupees.... 2561

BY THE RESPONDENTS

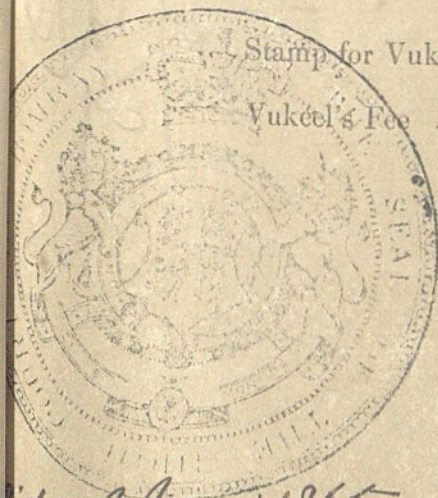
IN THE DISTRICT.

In the <i>Moonisiff's Court</i>	1	14	10		
In the <i>Assistant Judge's Court</i>	3	13	"	5	110

IN THIS COURT.

Stamp for Vukalutnama	2	"	"		
Vukeel's Fee	"	4	10	2	410

Rupees.... 768



W. J. Seal
Sealer

R. West
Registrar

day of June 1865.