

In the High Court of Judicature, Bombay.

Thursday, the 19<sup>th</sup> day of January 1865.

SPECIAL APPEAL No. 828 of 1864

Jacob Raghooath Pathar  
of the Rutnagiri Division of  
the Kolhapur District.

Appellant

(Original Defendant.)

versus

Diubur & Vinayak Anandoo  
Pathar of the Rutnagiri  
Division of the Kolhapur District.

Respondent.

(Original Plaintiff.)

Rs. 55

The claim in the Original Suit was to recover possession of the site of a house occupied by defendant, and to cause the removal of the house.

In Appeal No. 273 of 1862 the Senior Assistant Judge of the District of the Kolhapur at the date etc. Rutnagiri reversed the Decree of the Senior Assistant Judge who had thrown out the claim, by ordering the removal of the house.

A Special Appeal was preferred in the High Court on the grounds that (1) the decision of the Senior Assistant Judge is contrary to Law in that

a. The agreement is having no effect

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tion to support it, the plaintiffs are not  
entitled to enforce it.

6 The Senior Assistant Judge erroneously held  
that the plaintiffs could eject the appel-  
-lant by the mere fact of the sale and  
repurchase, without reference to agreement  
No. 111

2 That there has been a substantial error in  
Law in the procedure of the case & which has pro-  
-duced an error in the decision of the case on its  
-merits in that the Lower Court has not ascer-  
-tained how long the appellant has had  
adverse possession of the locus in quo.

The Court confirms the decree of the Sen.  
Assis. Judge.

Costs on Special Appellant.

Atkinson Forbes  
App. Clerk

MEMORANDUM OF COSTS incurred in Special Appeal No. 828

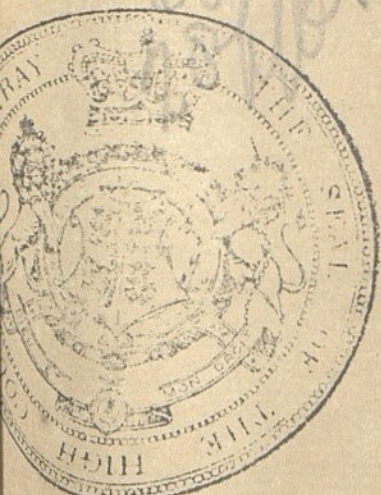
of 1864 against the decision of the Senior Assist. Judge of the District of the Northam <sup>Putmagiri</sup> and disposed of on the 19<sup>th</sup> January 1865. by Confirming the same with Costs on Special Appellant.

BY THE APPELLANT—

In the District.					
In the Sudder Ameer's Court .....	9	5	5	✓	
In the Senior App. Judge's Office .....	2	2	5	✓	
In this Court.					11 7 10 ✓
Stamp for Memorandum of Special Appeal .....	4	"	"	✓	
Stamps for copies of Decree and Judgment .....	3	"	"	✓	
Stamp for Vukeelutnama .....	2	"	"	✓	
Batta for Process and Postage .....	1	2	"	✓	
Sectioner's Fee .....	1	3	"	✓	
Vukeel's Fee .....	1	10	5	✓	12 15 5 ✓
Rupees....					24 7 3 ✓

BY THE RESPONDENT.

In the District.					
In the Sudder Ameer's Court .....	11	9	5	✓	
In the Senior App. Judge's Office .....	15	13	5	✓	
In this Court.					27 6 10 ✓
Stamp for Vukeelutnama .....	"	"	"		
Vukeel's Fee .....	"	"	"		
Rupees....					27 6 10 ✓



*W. J. S.*  
 1st Asst. Registrar

*W. J. S.*

For Sealer  
 The 19<sup>th</sup> day of January 1865.



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Translated by  
Bhal Shukla  
D. 1906

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True Translation

J. J. J.

1st Assistant Registrar

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