

In the High Court of Judicature, Bombay.

Monday, the ~~Twenty~~ day of July 1864.

SPECIAL APPEAL No. 88 of 1864.

Morbhut bin Balumbhut Gum-
-poole of the Putnagiri Division } Appellant
of the Konkun District }
(Original Plaintiff)

versus

Dhondbarav bin yeshwantrao } Respondent
Kudum of the Putnagiri Divi- }
-sion of the Konkun District }
(Original Defendant.)

Rs. 400 — " — "

The claim in the Original Suit was to ~~obtain~~ recover money advanced on mortgage, on to be put into possession of the mortgaged property.

In Appeal No. 105 of 1860 the Acting Senior Assis. Judge of the District of The Concan at Putnagerry affirmed the Decree of the Mourni of } who threw out Plaintiff's claim.

A Special Appeal was preferred in the High Court on the grounds that (1) the decision of the acting Senior assistant judge is contrary to law in that the onus of proof has been placed on the wrong party viz. appellant.

appellant and that (2) the acting senior assist. judge has admitted oral evidence to prove payment of a debt secured by a bond.

The decree of the Senior Ass. Judge is affirmed. costs on Special Appellant.

Joseph Arnold
Att. Gen. Tuckey

Bill of costs

By the Appellant
In the District

In the Mooreff's Court (including v. fees) — 71. 15. 6
D. Senior Assistant Judge's Court — 47. " " 118. 15. 6

In this Court

Stamp for memo. of Special app ^l	—	32 " "
Stamps for Copies of decree & judgment	—	3 " "
Stamp for Vukalutuanua	—	2 " "
Batta for Procep and Postage	—	17 " "
Sectioner's Fee	—	12 " "
Vukueli's Fee	—	12 " "
		<u>51.9 "</u>
		<u>Ruppes 170.8.6</u>

By

By the Respondent
In the District

In the Moonieff's Court ————— 22. 7"
Do Senior Sp^{ts} Judge's Court ————— 13. " " 35. 7"

In this Court

Stamp for Vukalutnamia ————— 2 " "
Vukieel's Fee. ————— 12 " " 14 " "
Rubles. 49. 7 "



[Signature]
Acting Registrar

[Signature]
Sealer

The 11th day of July 1864