

In the High Court of Judicature, Bombay.

Thus day, the 22 day of June 1865

SPECIAL APPEAL No 891 of 1864

Govind Divalikar Khat and  
Sundar of the Putrajhere  
Division of the Kanher District  
(Original Plaintiff) APPELLANT

Sudashiv Bhat alias Balambhat bin Vinayak  
Bhat and Uthadeo Bhat bin Vinayak Bhat  
and Mageshwar Bhat bin Nagesh Bhat  
and Antoj Gungadhar and Purshostam Bhat  
bin Mahadeo Bhat deceased his son and heir  
Raghonath Bhat and Ramchandra  
nath Shastree and Wassodeo Spurny Hatley  
and Swardhan Shury and Vishnoo Prunibhat  
and Vididharud Amaran and Sudashiv Bhat  
and Trimbuk Bhat and Muntram Bhat  
bin Sob Bhat and Morebhat bin Kashinath  
Bhat deceased his brother's heir Vinayak  
Shukhannam and Ragnath bin Yashesh-  
war Bhat all of the Putrajhere Division  
of the Kanher District (Original Defendants) RESPONDENT

Rs. 13-6-4

The claim in the Original Suit was to enforce a division of family property and the allotment of his share to the Plaintiff

In Appeal No. 528 of 1863 the Senior Assistant Judge of the District of the Kanher at Putrajhere amended the Decree of the District Judge who had awarded to the Plaintiff a 1/80 the share in the 1/6th of certain 'Laces' (Coins) by ordering the share of the Sept Maheshwar Shukhannam in the division of the 130 Laces to be taken from the Plaintiff's share.

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 he has erroneously held that appellant is estopped by the decree of the Pevva, the Sund

and

and other decrees mentioned by him, <sup>from</sup> bringing the  
present action that (2) the Senior Assistant  
Judge has disregarded the Decree No. 41 that  
(3) the Senior Assistant Judge has not awarded  
to appellant the share that pertains to him by  
Hindoo Law that (4) the Senior Assistant Judge  
has held erroneously that appellant has never  
had possession and that (5) the Senior  
Assistant Judge has erred in varying the  
masniff's decree in the way he has done.

The Court Confirms  
the decree of the Senior Assistant Judge  
with costs.

R Couch

A. S. Warden

MEMORANDUM OF COSTS incurred in Special Appeal No. 891.

of 1864 against the decision of the Senior *Ajst* Judge of the District of *the Nohum* and disposed of on the 22<sup>nd</sup> June 1865- by *Confirming the same with Costs.*

BY THE APPELLANT—

IN THE DISTRICT.

In the <i>Suder Amin's Court</i>	15	7	4		
In the <i>Senior Ajst Judge's Court</i>	4	1	5		
				19	89

IN THIS COURT.

Stamp for Memorandum of Special Appeal	1	"	"		
Stamps for copies of Decree and Judgment	2	8	"		
Stamp for <sup>(2)</sup> Vukalutnama	4	"	"		
Stamp of an application to enter the name of the <i>Respondent's</i> Appellant's heir	2	"	"		
Batta for Process and Postage	4	8	"		
Sectioner's Fee	2	12	6		
Vukeel's Fee	"	6	5	17	2
				19	2

Rupees.... 36. 11 8

BY THE RESPONDENT

IN THE DISTRICT.

In the <i>Suder Amin's Court</i>	15	11	8		
In the <i>Senior Ajst Judge's Court</i>	4	11	8		
				20	74

IN THIS COURT.

<i>two</i> Stamp for Vukalutnama	4	"	"		
Vukeel's Fee	"	6	5	4	65
				24	139

Rupees.... 24 13 9



*W. J. West*  
*Sealer Registrar*

22<sup>nd</sup> June 1865.