

In the High Court of Judicature, Bombay.

Friday, the 3 day of February 1865.

SPECIAL APPEAL No. 899 — of 1864.

Sud ashi and Gunnoo Waleed  
Khundoo of the Ahmednagar

Appellant

(District (Original Defendants))

versus

Hanee Waleed Muehoo  
of the Ahmednagar District

Respondent

(Original Plaintiff)

Rs. 25-7a-11

The claim in the Original Suit was to recover possession of a room belonging to their common house.

In Appeal No. 169 of 1864 the Acting Assist. Judge of the District of Ahmednagar at Ahmednagar reversed the Decree of the Muzaf-Go-la who had thrown out the claim of Decree for Plaintiff.

A Special Appeal was preferred in the High Court on the grounds that (1) the decision of the assistant judge is contrary to Law in that he has erred in holding that Respondent had any claim to the property in dispute, he being

a stranger to the family of the original owners,  
that (2) the assist<sup>t</sup> judge erred in not going  
into the question of Respondents title and that  
(3) the assistant judge erred in holding  
there was any legal proof that appellant  
recently obtained possession of the house  
without any right.

The Court confirm the Decree of the  
Asst. Judge - Costs on Spl. Appellant -

A. Hitchcock Forber,

H. H. Fisher,

MEMORANDUM OF COSTS incurred in Special Appeal No. 899.

of 1864 against the decision of the *Selya 5<sup>th</sup>* Judge of the District of *Shardungu*, and disposed of on the 3<sup>rd</sup> February by *confirming the same with costs*

BY THE APPELLANT

IN THE DISTRICT.

In the <i>Moonsiff's Court</i>	6	13	✓
In the <i>Judge's Court (including fee)</i>	1	4	✓
		8	1

IN THIS COURT.

Stamp for Memorandum of Special Appeal	2	✓
Stamps for copies of Decree and Judgment	2	✓
Stamp for <i>Vukalutnama tax</i>	4	✓
Stamp of an application to enter the name of the Appellant's heir	3	✓
Batta for Process and Postage	1	1
Sectioner's Fee	1	1
Vukeel's Fee	12	10
		14

Rupees.... 18 15

BY THE RESPONDENT

IN THE DISTRICT.

In the <i>Moonsiff's Court</i>	8	6	✓
In the <i>Judge's Court</i>	4	4	✓
		12	10

IN THIS COURT.

Stamp for <i>Vukalutnama</i>	2	✓
<i>Vukeel's Fee</i>	12	✓
		14

Rupees.... 15 6



*W. H. Jones*  
*R. West*  
 The 3<sup>rd</sup> day of February 1865 Registrar