

In the High Court of Judicature, Bombay.

Tues day, the 11th day of April 1865.

SPECIAL APPEAL No. 911 of 1864

Mulhari bin Mahadji Ghate
of the Kankun District
(Original Plaintiff)

Appellant

versus

Revenue Commr of Bombay
(Original Defendant)

Respondent

Rs. 144 - - -

The claim in the Original Suit was to recover damages for the removal by Def. of some grass from certain land sold by Plff. to a third party, the value of which Plff. had paid to the said third party, and was ~~to be recovered from Def.~~ In Appeal No. 900 of 1864 the Judge of the District of the Konkan at ~~Junag~~ confirmed the Decree of the P.C. of Junag who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) the decision of the District Judge is contrary to law in that he erred in confining his attention to the evidence adduced after the removal of

of this suit instead of looking to the evidence
in the case as a whole, which completely
proves appellant's claim and that (2) the
District judge has misconstrued the effect
of the said remand in virtually holding
that it deprived appellant of the benefit
of the evidence recorded in the case on the
first trial.

The Court confirms the decree of the District
Judge.

Costs on Special Appellant.

Whitcomb Prokes,
Appellant,

MEMORANDUM OF COSTS incurred in Special Appeal No. 911

of 1864 against the decision of the Judge of the District of the Kankar and disposed of on the 11th April 1865 by confirming the same with costs.

BY THE APPELLANT—

In the District.		
In the P. S. Munsif Court	53.50	
In the Judge's Court	28.3.10	81.9.4
In this Court.		
Stamp for Memorandum of Special Appeal	8	
Stamps for copies of Decree and Judgment	3	
Stamp for Vukeelutnama	2	
Batta for Process and Postage	" 8	
Sectioner's Fee	1.12	
Vukeel's Fee	4.5.1	19.9.1
Rupees		101.2.5

BY THE RESPONDENT.

In the District.		
In the P. S. Munsif Court	43.2.3	
In the Judge's Court	12.6.4	55.8.7
In this Court.		
Stamp for Vukeelutnama	2	
Vukeel's Fee	4.5.1	6.5.1
Rupees		61.13.8



R. West

R. West
Registrar

For Dealer
The 11th day of April 1865