

In the High Court of Judicature, Bombay.

Thursday, the 2<sup>nd</sup> day of February 1865.

SPECIAL APPEAL No. 916 — OF 1864.

Mansaji Mulud Saaji +  
Bhakrav of the Ahmednugur  
District — (Original Plaintiff)

Appellant

versus

Purooji Mulud Wittobu  
Wotaday of the Ahmednugur  
District (Original Defendant)

Respondent

Rs. 54 - 8 - 00

The claim in the Original Suit was to recover possession of  
three fields

In Appeal No. 145 of 1864 the Judge  
of the District of Ahmednugur at Ahmednugur  
the Decree of the M. J. of Rahway who had thrown out the  
claim.

A Special Appeal was preferred in the High Court on the grounds that the deci-  
sion of the District Judge is contrary  
to

to law, in that (1) he erred in holding that the cause of action arose from the time Appellant left the land in dispute, that (2) the District Judge erred in holding Appellants' claims barred, that (3) the District Judge's findings on the first and second issues are inconsistent with, and repugnant to each other, for in the finding on the first issue the District Judge holds appellants' claims not to be proved, and in the finding on the second issue he holds Appellants to have a title to the land in question which he forfeited by leaving it; and that (4) the District Judge erred in holding that the mere giving up of land by a party was forfeitive of all rights therein.

The Court confirms the decree of the District Judge.

Costs on Special Appellant.

R Couch  
H. Newm.

MEMORANDUM OF COSTS incurred in Special Appeal No. 916

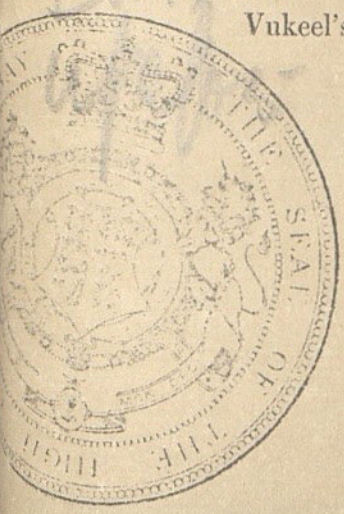
of 1864 against the decision of the Judge of the District of Ahmednagar and disposed of on the 2<sup>nd</sup> February 1865 by confirming the same.

BY THE APPELLANT—

In the District.					
In the Munsiff's Court (including Vukeel's fee)	16	10	2		✓
In the Judge's Court (including Vukeel's fee)	8	10	2		✓
In this Court.				25	4 4 ✓
Stamp for Memorandum of Special Appeal	4				✓
Stamps for copies of Decree and Judgment	3	8			✓
Stamp for Vukeelutnama	2				✓
Batta for Process and Postage	1	3			✓
Sectioner's Fee	1	9	3		✓
Vukeel's Fee	1	10	2		✓
				13	14 5 ✓
				Rupees....	39 2 9 ✓

BY THE RESPONDENT.

In the District.					
In the Munsiff's Court	12	12	2		✓
In the Judge's Court	2	10	2		✓
In this Court.				15	6 4 ✓
Stamp for Vukeelutnama	2				✓
Vukeel's Fee	1	10	2		✓
				3	10 2 ✓
				Rupees....	19 " 6 ✓



W. J. S. S. S.  
Sealer

R. West  
Registrar

The 2<sup>nd</sup> day of February 1865