

In the High Court of Judicature, Bombay.

Wednesday, the 8th day of February 1865.

SPECIAL APPEAL No. 927 — of 1864.

Agostino Melud Souza
of the Konkani Dis-
trict — (Original Plaintiff)

Appellant

versus

Manuel Mesquita
of the Konkani Dis-
trict — (Original Defendant)

Respondent

Rs. 1-3-3-

The claim in the Original Suit was to recover possession of field from the lessee.

In Appeal No. 163 of 1864 the *Crisis* Judge of the District of *the Konkani* at *Tanna* confirmed the Decree of the *Judge* *Tanna* who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) there has been a substantial error in law in the investigation of the case which has

has produced error in the decision of the
Case on its merits in that the land
in dispute being in the Appellants'
name in the Government records, and
the Respondent having paid the
assessment in the Appellants' name
it is proved that he admitted the
Appellants' proprietary right. where-
-as the decision was given contrary
to the Appellants' right and that
(2) the Respondent not being in
possession as a proprietor, the law
of limitation cannot be applied
to the Appellants' claim. -

The Court confirms the decree of the
Crisis Judge.

Costs on Special Appellant.

Atkinloch Forbes.

H. C. C. C.

MEMORANDUM OF COSTS incurred in Special Appeal No. 927

of 1864 against the decision of the *Assisth Judge* of the District of *the Kookan* and disposed of on the 8 February 1865 by *confirming the same with costs.*

BY THE APPELLANT—

IN THE DISTRICT.

In the <i>Mousiff's Court</i>	5.. 7	✓		
In the <i>Assisth Judge's Court</i>	3. 6	7	✓	
				8. 7 2 ✓

IN THIS COURT.

Stamp for Memorandum of Special Appeal	1	"	"	✓	
Stamps for copies of Decree and Judgment	2	8	"	✓	
Stamp for Vukalutnama	2	"	"	✓	
Stamp of an application to enter the name of the Appellant's heir	0	0			
Batta for Process and Postage	"	10	"	✓	
Sectioner's Fee	1	10	✓		
Vukeel's Fee	"	"	7	✓	
					7. 4 1 ✓

Rupees.... 15 11 3. ✓

BY THE RESPONDENT—

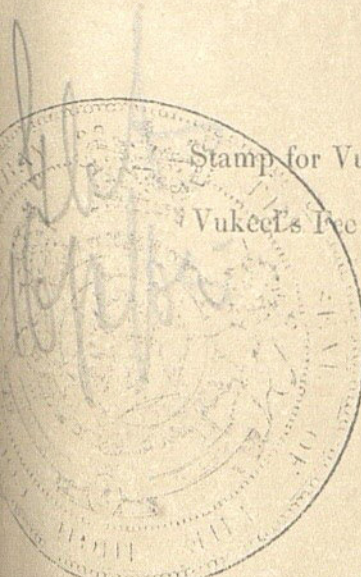
IN THE DISTRICT.

In the <i>Mousiff's Court</i>	5. 2	7	✓	
In the <i>Assisth Judge's Court</i>	1. "	7	✓	
				6. 2. 2. ✓

IN THIS COURT.

Stamp for Vukalutnama	2	"	"	✓	
Vukeel's Fee	"	"	7	✓	
					2 " 7 ✓

Rupees.... 8 3. 9 ✓



W. J. ... Registrar

The 8th day of February 1865.