

In the High Court of Judicature, Bombay.

Thursday, the 9 day of February 1865.

SPECIAL APPEAL No. 936 of 1864.

Gurputra Govind Burwey } Appellant
of the Ahmednagar District.
(Original Plaintiff)

versus

Pillaji wulud Nowji Patil } Respondent
Sinday of the Ahmednagar
District.
(Original Defendant)

Rs. 22. - - -

The claim in the Original Suit was to obtain possession of a field no 33 of Gulshan Meeru alleging that it was his heirs entered in original Plaintiff's father's name & that Patil had occupied it for about 10 or 12 years & refused to restore it.

In Appeal No. 93 of 1865 the Honble Mr. Justice of the District of Ahmednagar at Ahmednagar on a remand No 654 of the 10 February 1864 from the High Court affirmed with costs the Decree of the Muzal-Fisla who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that there has been a substantial error in law in the investigation of the case and which has produced error in the decision of the case on its merits in that

or

a The Assistant judge has erroneously-
considered the whole of his evidence as hearsay.

b If any portion of the evidence was
inadmissible as hearsay, the Assistant
judge should have given his finding upon
that which was not liable to that objection

The Court confirm the decree of
the Assistant judge with costs on appeal.

A. Hutchins Forbees.

A. M. Warden

MEMORANDUM OF COSTS incurred in Special Appeal No. 936
of 186 *H* against the decision of the ^{Assistant} ~~Acting~~ Judge of the
District of *Ahmednagar* and disposed of on the 9th February 1865
by *confirming the same with costs.*

BY THE APPELLANT—

IN THE DISTRICT.

In the <i>Mousiff's Court (including V.S.)</i>	<i>Rs. 137</i>	✓		
In the <i>Assist^{nt} Judge's Court</i>	<i>11. 10</i>	✓		
			<i>15. 7.</i>	<i>11</i> ✓

IN THIS COURT.

Stamp for Memorandum of Special Appeal	<i>2</i>	"	"	✓
Stamps for copies of Decree and Judgment	<i>3. 8</i>	"	"	✓
Stamp for Vukalutnama	<i>2</i>	"	"	✓
Stamp of an application to enter the name of the Appellant's heir	<i>0 0 0</i>			
Batta for Process and Postage	<i>1. 1</i>	"	"	✓
Sectioner's Fee	<i>1. 5</i>	"	"	✓
Vukeel's Fee	<i>" 107</i>		<i>108</i>	<i>10</i> ✓

Rupees.... *27. " 9* ✓

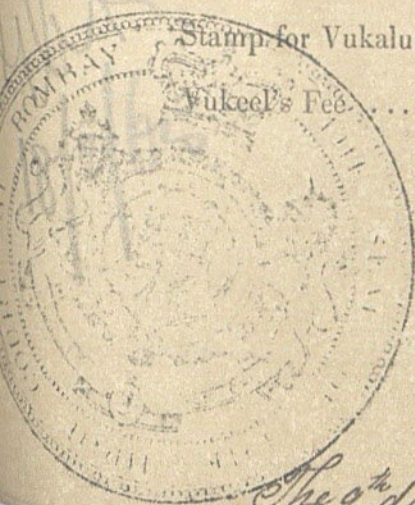
BY THE RESPONDENT—

IN THE DISTRICT.

In the <i>Mousiff's Court</i>	<i>1. 107</i>	✓		
In the <i>Assist^{nt} Judge's Court</i>	<i>Rs. 3. 2</i>	✓	<i>5. 13</i>	<i>9</i> ✓

IN THIS COURT.

Stamp for Vukalutnama	<i>2</i>	"	"	✓
Vukeel's Fee	<i>" 107</i>		<i>2 107</i>	✓
Rupees....	<i>8 8</i>	<i>H</i>		✓



W. J. ...

A. West
Registrar

Sealer
The 9th day of February 1865.