

In the High Court of Judicature, Bombay.

*Now* day, the *20* day of *March* 186*4*

SPECIAL APPEAL No. *939* — OF 186*4*.

*Bapaaji Keshoo Damday of  
the Konkan District*

Appellant

*Durgajal*

(Original Plaintiff)

versus

*Mahadassrao Nilkunt  
of the Konkan Dis-  
trict*

Respondent

*Kanbhari*

(Original Defendant)

Rs. *53-5-6*

The claim in the Original Suit was to

*recover a balance alleged*

*to be due as the profits of certain land given by the  
Peg & the debt to manan for him*

In Appeal No. *93* of 186*4* the

*Asst Judge*

of the District of *the Konkan*

at *Zamma*

the Decree of the *Magistrate* who

*had thrown out the  
claim*

A Special Appeal was preferred in the High Court on the grounds that

~~the~~ *the deci-*

*sion of the Assistant Judge is con-  
-trary to law, in that he has erred*

*in*

in holding that a present action  
wants not lie, and that (2) the as-  
sistant Judge has held erroneously  
that this action is barred by the previ-  
ous ones. -

The Court moves the  
draw of the Court below and remand  
the cause for trial and a new  
draw upon the writs for to  
follow the first decision

R. Couch

H. Newton.

J. M. Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 939  
of 1864 against the decision of the Assistant Judge of the  
District of the Konkan and disposed of on the 20<sup>th</sup> March 1865  
by reversing the same for retrial.

IN THIS COURT.

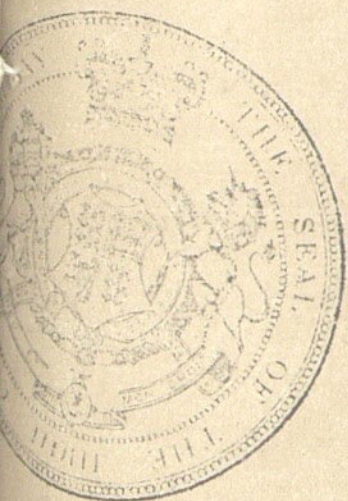
BY THE APPELLANT—

Stamps for copies of Decree and Judgment .....	3	00	
Stamp for Vukeelutnama .....	2	00	
Batta for Process and Postage .....	1	30	
Sectioner's Fee .....	1	09	
Vukeel's Fee one-fourth .....	7	77	7 114
			Rupees ... 7 114

BY THE RESPONDENT—

Stamp for Vukeelutnama .....	2	00	
Vukeel's Fee one-fourth .....	7	77	2 77
			Rupees ... 2 77

P. H. S.



*[Handwritten Signature]*

*[Handwritten Signature]*  
Registrar

The 20<sup>th</sup> day of March 1865.

Issued a certificate on Her Majesty's Treasury  
the Bank of Bombay for the refund of Rupees  
(4) four only being the value of Stamp used for  
Special Appeal in this case

Dated the 20<sup>th</sup> March 1868

West  
Registrar

at B.S.

Certificate given to Bank of Bombay

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