

In the High Court of Judicature, Bombay.

Now day, the 13 day of Febry 1865.

SPECIAL APPEAL No. 961 of 1864.

Trimbak Jugunnath alias Trimbak Daji Lane of the Konkan District (Original Plaintiff) Appellant

versus

Marcay un Ramchundur Purany of the Konkan District (Original Defendant) Respondent

Rs. 9-0-00

The claim in the Original Suit was to recover the debt to with-  
draw from an encroachment on the ~~land~~  
App's property in adding to his own house and  
to recover damages for the injury already caused.  
In Appeal No. 241 of 1864 the  
of the District of The Konkan at ~~Baroda~~  
the Decree of the ~~Judge~~ ~~at Baroda~~ who  
portion of the claim and rejected it  
with costs

A Special Appeal was preferred in the High Court on the grounds that the decision  
of the District Judge is against Law in that  
(a) The District Judge has committed an  
error in holding that there has been no  
injury

injury done to the Plaintiffs' roof notwithstanding the fact found by him that the Defendants' roof projects in some part over Plaintiffs' roof & the rain water falls thereon.

(b) The District Judge has committed an error in holding that an encroachment is not an injury.

The Court considers the  
the decree of the District Judge  
for the costs

R Coach  
J Hewton.

MEMORANDUM OF COSTS incurred in Special Appeal No. 961

of 186 *A* against the decision of the Judge \_\_\_\_\_ of the District of the *Koakua* and disposed of on the 13<sup>th</sup> February 1865 by confirming the same with costs.

BY THE APPELLANT—

IN THE DISTRICT.

In the <i>Mousiff's Court</i> .....	10. 15. 9		
In the <i>Judge's Court</i> .....	1. 4. 4		
			12. 4. 1

IN THIS COURT.

Stamp for Memorandum of Special Appeal .....	1. " "		
Stamps for copies of Decree and Judgment .....	3. " "		
Stamp for Vukalutnama .....	2. " "		
Stamp of an application to enter the name of the Appellant's heir .....	0. 0. 0		
Batta for Process and Postage .....	1. 1. "		
Sectioner's Fee .....	3. 7. 6		
Vukeel's Fee .....	" 4. 4		
			10. 12. 10
			Rupees.... 23. " 11

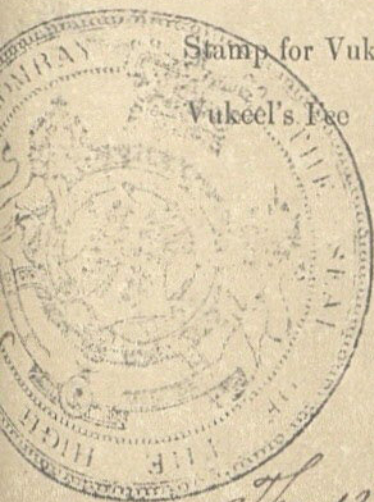
BY THE RESPONDENT—

IN THE DISTRICT.

In the <i>Mousiff's Court</i> .....	8. 12. 9		
In the <i>Judge's Court</i> .....	5. 2. 10		
			13. 15. 7

IN THIS COURT.

Stamp for Vukalutnama .....	2. " "		
Vukeel's Fee .....	" 4. 4		
			2. 4. 4
			Rupees.... 16. 3. 11



*[Signature]*  
*[Signature]*  
 The 13<sup>th</sup> day of Fealer February 1865. Registrar