

*poona*

In the High Court of Judicature, Bombay.

*14* day, the *14* day of *July* 1865.

SPECIAL APPEAL No. *964* OF 186*4*.

*Dadnak wulud Mukundnak*  
*Mahar Gaikawad of the* Appellant,  
*Poona District*  
  
(Original Plaintiff)

*Hurnak wulud Krishna<sup>versus</sup>ak and Barawanak*  
*wulud Ragnak and Pandnak wulud*  
*Ramnak and Dhondnak wulud Lukh-*  
*nak Vaghnak wulud Hasnak and* Respondents  
*Jotnak and Jannak and Vitnak wulud*  
*Bhagnak Mahar and Gopalnak wulud*  
*Sutwanak Mahar Gopalnak since deceased*  
*by his son and heir Nanyam Mahar of the*  
*Poona District* (Original Defendants)

Rs. 148 - 8 - "

The claim in the Original Suit was to *reover possession of*  
*a share of certain land usurped by the*  
*Defts*

In Appeal No. *305* of 186*3* the *Appellate*  
of the District of *Poona* *Confirmed*  
the Decree of the *Judge at Madgaon* who *had thrown out*  
*the claim*

A Special Appeal was preferred in the High Court on the grounds that *the decision of*  
*the District Judge is against Law in that (1) the*  
*burden of proof has been wrongly laid upon the*  
*Special Appellant; (2) the decision is opposed*  
*to*

to the admission of Respondents in exhibits  
Nos 7, 9 - and 25: and that (3) The lower  
court erred in passing no decree against Defen-  
dant who had not resisted the claim.

The court moved  
the term of the court below and remanded  
the cause for petition and a new  
decree on the merits as on a bill  
of a suit for a division of property  
each party to bear his own costs  
to this time

R. Couch  
Keweenaw

A. M. Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 964

of 1864 against the decision of the *Sitting Judge* — of the District of *Pooa* — and disposed of on the *14<sup>th</sup> February 1865* by *remanding the same for retrial.*

IN THIS COURT.

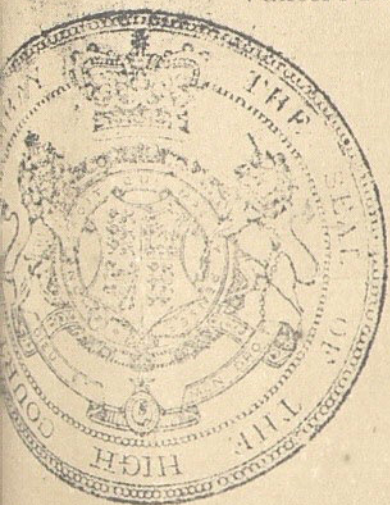
By THE APPELLANT—

Stamps for copies of Decree and Judgment .....	3	..	..		
Stamp for Vukeelutnama .....	2	..	..		
Batta for Process and Postage .....	5	11	..		
Sectioner's Fee .....	..	15	0		
Vukeel's Fee one-fourth .....	1	1	10		
				12	12
					4
				Rupees	12.12.4

By THE RESPONDENT *Jannak Jitwak Wituak + name*

Stamp for Vukeelutnama .....	2	..	..		
Vukeel's Fee one-fourth .....	1	1	10		
				3	
				5	1
					10
				Rupees	3.1.10

*Rupees three annas one & pice ten*



*W. P. ...*  
Sealer

*R. West*  
Registrar

*The 14<sup>th</sup> day of February 1865.*

