

poor

In the High Court of Judicature, Bombay.

Two day, the *28* day of *July* 186*5*.

SPECIAL APPEAL No. *983* of 186*4*

Kondee bin Gopaje of the Appellant

Poona District (Original Defendant)

versus

Babaji bin Bhoolaj of the Respondent

Poona District (Original Plaintiff)

Rs. *6*

The claim in the Original Suit was to

renew possession of

certain land wrongfully withheld from the plaintiff by the defendant under a summary order of the collector

In Appeal No. *599* of 186*3* the

Principal Ameer

of the District of *Poona* at *Shreehan*

the Decree of the *M. J. J. J.* who had awarded half the land withheld by *Deft No 1 and 4* by awarding the whole of the land (No 11)

A Special Appeal was preferred in the High Court on the grounds that (1) the decision

of the Principal Ameer is contrary to law in that he held *Bazirama* given by one of the original defendants binding upon

upon the others, who, being interested in the
land in dispute, were yet no parties to it
and that (2) there has been a substantial error
in law in the procedure of the case and
which has produced error in the de-
cision of the case on its merits in that
the plaintiff, while taking the land,
ought to have been made to pay the ap-
plicants the expenses they had incurred
in its improvement.

The Court consider
the decree of the Court below with
costs

R. Couch

Hewitt

A. Ward

MEMORANDUM OF COSTS incurred in Special Appeal No. 983

of 1864 against the decision of the Principal S. Ameen of the District of Poona and disposed of on the 28th Feb^y 1865 by confirming the same.

BY THE APPELLANT—

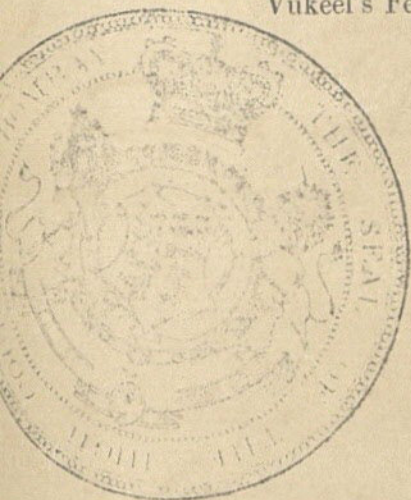
In the District.

| | | | | |
|--|----|---|----|-----------|
| In the Mousiff's Court | 6 | 8 | 5 | ✓ |
| In the Principal Sudder Ameen's <i>Deo</i> | 1 | 2 | 11 | ✓ |
| | | | | 7 11 4 ✓ |
| In this Court. | | | | |
| Stamp for Memorandum of Special Appeal | 1 | 0 | 0 | ✓ |
| Stamps for copies of Decree and Judgment | 3 | 0 | 0 | ✓ |
| Stamp for Vukeelutnama | 2 | 0 | 0 | ✓ |
| Batta for Process and Postage | 15 | 0 | 0 | ✓ |
| Sectioner's Fee | 15 | 0 | 0 | ✓ |
| Vukeel's Fee | 5 | 9 | 0 | ✓ |
| | | | | 8 3 9 ✓ |
| Rupees..... | | | | 15 15 1 ✓ |

BY THE RESPONDENT.

In the District.

| | | | | |
|--|----|----|---|-----------|
| In the Mousiff's Court | 13 | 7 | 8 | ✓ |
| In the Principal Sudder Ameen's <i>Deo</i> | 3 | 13 | 2 | ✓ |
| | | | | 17 4 10 ✓ |
| In this Court. | | | | |
| Stamp for Vukeelutnama | 2 | 0 | 0 | ✓ |
| Vukeel's Fee | 5 | 9 | 0 | ✓ |
| | | | | 2 5 9 ✓ |
| Rupees..... | | | | 19 10 7 ✓ |



W. West

Sealer

W. West
Registrar

The 20th day of February 1865