

No 9296
In the High Court of Judicature, Bombay.

Tuesday, the 3rd day of March 1865

SPECIAL APPEAL No. 986 OF 1864.

Danos Mahad Khundo
Mool of the Solapoor
~~Division of the Poona~~
District (Original Defendant)

Appellant

versus

Danos Mahad Sudashiv
Mool of the Solapoor ~~Divi~~
~~Sion of the Poona District~~
(Original Plaintiff)

Respondent

Rs. 296.3.

The claim in the Original Suit was to recover ^{of 3 bays} Danos share of Miras land which belonged to his father & was retained by Danos -

In Appeal No. 103 of 1863 the ^{actual Judge} ~~at~~ Solapoor affirmed the Decree of the ~~Magistrate~~ ^{Magistrate} of Poona who had decreed in favor of Plaintiff

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 which has produced an error in the decision of the

the case upon its merits in that the
Acting District Judge has erroneously cast
the burden of proof on Appellant: that
(2) the Acting District Judge failed to ascertain
and decide what was the extent of the entire
property of the five brothers, before assigning
Respondent the specific portion claimed
by him: that (3) the Acting District Judge
has relied on the Ruling in a Special
appeal which Ruling has been superseded.

The Court confirms the decree of
the District Judge with costs on Special Appeal

Wm. Cook Forbes,

Att. by Decker,

MEMORANDUM OF COSTS incurred in Special Appeal No. 986

of 1864 against the decision of the Acting Judge of the District of Solapur and disposed of on the 3rd March 1865 by confirming the same with costs

BY THE APPELLANT—

IN THE DISTRICT.

In the Moousiff's Court (including V. F.)	4.11.1		
In the Judge's Court (including V. F.)	4.10.4		
		9.55	

IN THIS COURT.

Stamp for Memorandum of Special Appeal	2
Stamps for copies of Decree and Judgment	2	8	..
Stamp for Vukalutnama	4
Stamp of an application to enter the name of the Appellant's heir	0	0	0
Batta for Process and Postage	1	4	..
Sectioner's Fee	"	11	9
Vukeel's Fee	"	14	1
		11	5.10
		Rupees....	20.11.3

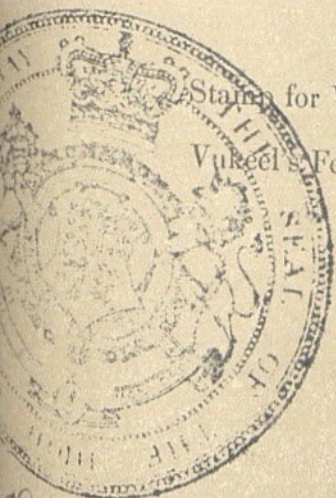
BY THE RESPONDENT—

IN THE DISTRICT.

In the Moousiff's Court	9	11	10
In the Judge's Court	1	14	1
		11	9.11

IN THIS COURT.

Stamp for Vukalutnama	2
Vukeel's Fee	"	14	1
		2	14.1
		Rupees....	14.8..



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3rd March 1865. Sealer

~~विद्यया विना न्यायः अज्ञानं प्रकल्पति~~

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~~राशिः अत्र ॥३३ अत्र~~

~~इति वा ॥३३ अर्थः अत्र~~

~~॥३३ अर्थः अत्र~~

(अत्र)

सामर्थ्य

~~इति वा ॥३३ अर्थः अत्र~~

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(अत्र)

॥३३ अर्थः अत्र

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Translated by
Dair Bhaktin
Dram

