

In the High Court of Judicature, Bombay.

Now day, the 20 day of Feby 1865

SPECIAL APPEAL No. 987 of 1864

Balkrishna Shivram Kato of the
Ahmednagar District

Appellant

(Original Defendant)

Shondi Shivram Kato
of the Ahmednagar Dis-
trict.

Respondent

(Original Plaintiff)

Rs. 130-13-00

The claim in the Original Suit was to enforce an agreement for a division by which the Deft was bound to vacate two shops and pay certain debts

In Appeal No. 400 of 1863 the Judge of the District of Ahmednagar in the Decree of the Sd. Amn who had awarded delivery of the two shops only, by allowing Rs 80.00 in addition

A Special Appeal was preferred in the High Court on the grounds that ~~the~~ the decision of the District Judge is contrary to Law in that he erred in not going into the question of the set off pleaded by appellant

in this case: that (2) the District Judge
and the Principal Sidesmen erred
in awarding specific performance of
the terms of the deed of partition since
made as they have done; and that (3)
the District Judge has misconstrued
the deed of partition No. 4 in holding
that the repairs described in Respon-
dents' plaint, and which are in-
properly described in the Judge's
Minute, are such repairs as appel-
lant can be made liable for.

The Court confirms
the decree of the District Judge
with costs.

R Couch
Hester
A. Warden

MEMORANDUM OF COSTS incurred in Special Appeal No. 987

of 1864 against the decision of the Judge of the District of *Shundugur* and disposed of on the 20th February 1865 by confirming the same with costs.

BY THE APPELLANT—

IN THE DISTRICT.

In the P. S. Success Court	5.1.8			
In the Judge's Court (including VJ)	4.9.8			
				9.11.4

IN THIS COURT.

Stamp for Memorandum of Special Appeal	8	"	"	
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	"	"	
Sectioner's Fee	"	8	6	
Vukeel's Fee	4	1	8	18.10.2
				Rupees.... 28.5.6

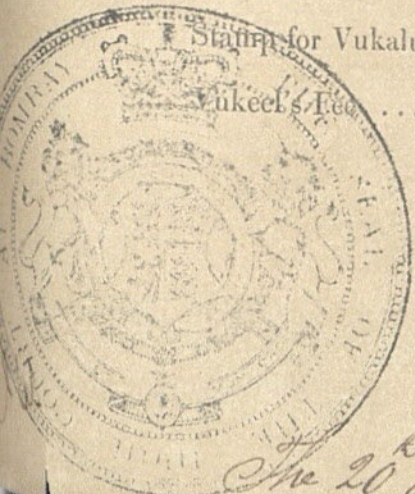
BY THE RESPONDENT—

IN THE DISTRICT.

In the P. S. Success Court	71.4.7			
In the Judge's Court	15.9.8			
				86.14.3

IN THIS COURT.

Stamp for Vukalutnama	2	"	"	
Vukeel's Fee	4	1	8	6.1.8
				Rupees.... 92.15.11



W. L. Seal
The 20th day of February 1865.
R. West
 Registrar