Poona

In the High Court of Judicature, Bombay.

Fri day, the 17th day of February 1865.

SPECIAL APPEAL No. 993 OF 1864.

Dhondji bin Lookhmaji — Tuhle of the Poona District (Original Defendant) — Appellant

versus

Yesó bin Bhagoji and Anda ji bin Kondaji Tule of the Poona District (Original Plaintiffs) — Respondents

Rs. 36-0-0

The claim in the Original Suit was to establish a right to redeem a portion of certain inam land alleged to have been mortgaged by Defendant

In Appeal No. 108 of 1864 the Pri. J. Cr. reversed
of the District of Poona at Poona who held throwout the claim
the Decree of the J. C. of Poona

A Special Appeal was preferred in the High Court on the grounds that the Division of the Principal Suder Amin is contrary to law
1st In that the Principal Suder Amin erred in assuming that the land in question was held by appellant as mortgagee because in Shuka A.D. 1766/1844

certain

certain land was transfered from Respondents name to that of appellant. The presumption arising from such transfer being that it was conveyed absolutely to appellant.

2 In that the Principal Sudder Amin had no legal evidence before him to establish the mortgage.

3 In that the Principal Sudder Amin failed to enquire whether the land in question pertained to appellant by right of inheritance as found by the Moonsiffs

The Court confirm the decree of the Princ! Sudder Ameen.

Costs on Special Appellant.

A Pringle Forbes.

H.H. Fisher

MEMORANDUM OF COSTS incurred in Special Appeal No. 993.
of 1864 *against the decision of the* Principal Sudr Amin *of the District of* Poona — *and disposed of on the* 1st February 1865
by Confirming the same with Costs

BY THE APPELLANT—

IN THE DISTRICT.

In the Sudder Amins Court	5	7	3			
In the Principal Sudder Amins Court	2	1	3			
				7	8	6

IN THIS COURT.

Stamp for Memorandum of Special Appeal	4	"	"			
Stamps for copies of Decree and Judgment	2	"	"			
Stamp for Vukalutnama (two)	4	"	"			
Stamp of an application to enter the name of the Appellant's heir	3	"	"			
Batta for Process and Postage	1	1	"			
Sectioner's Fee	~~12~~ 13	~~14~~ 11	"			
Vukeel's Fee	1	1	3			
				13	"	2
Rupees....				20	8	8

BY THE RESPONDENT—

IN THE DISTRICT.

In the Sudder Amins Court	10	1	3			
In the Principal Sr. Amins Court	6	7	9	16	9	"

IN THIS COURT.

Stamp for Vukalutnama	2	"	"			
Vukeel's Fee	1	1	3			
				3	1	3
Rupees....				19	10	3

The 17th day of February 1865.

Sealer

Registrar