

*Judgment of the Lords of the Judicial Committee
of the Privy Council on the Appeal of Ramru-
deegowda v. Dessai Saheb from the High Court
of Judicature at Bombay; delivered 21st No-
vember 1871.*

Present :

SIR JAMES W. COLVILL.

SIR JOSEPH NAPIER.

SIR MONTAGUE SMITH.

SIR LAWRENCE PEEL.

THE suit in this case was brought by the Appellants to recover a village called Amravuttee, which appears to have been part of a larger estate or wuttun, and also certain allowances, of which very little has been said in argument, and very little explanation given, but which may be assumed to be certain profits incident to the right of the manager of one of these Mahratta villages. Mr. Doyne in his reply has dwelt principally upon the fact, which may perhaps be taken to be admitted upon these proceedings, that the Respondent who has held this village so long does not pay the Government revenue in respect of it, that being paid by the owner of the whole wuttun. He has also dwelt, more slightly, upon the suggestion made in the courts below, that by reason of some adoption the Respondent's ancestor was taken out of the family of the original owners of the wuttun, and transferred to another family.

There has been no finding with respect to the last point in any of the three courts below, and it may therefore be left out of consideration. We have not had much explanation of the nature of these tenures; but certainly it has not been supposed in any of those courts that the first point dwelt upon by Mr. Doyne, namely, that relating to the payment of the Government revenue, was at all inconsistent with the Respondent's case; and, it appears to their Lordships, to be quite conceivable that if such a transaction as that on

which the Respondent relies really took place, the village may have been transferred to the Respondent's family as an inam held, as far as the general owners of the wuttun are concerned, free from any contribution to the Government revenue, although upon the whole wuttun Government revenue may have been assessed either before or after the acquisition of these territories by the East India Company.

Therefore it seems to their Lordships that the determination of this appeal depends upon the question whether any evidence has been given to prove the mortgage title upon which the Appellant relies. It appears that in 1823 the present contention first arose between the two branches of this family. Those whom the Respondent represents then held this village; and it appears by Mr. Thackeray's Order that they then claimed to have held it for nearly 16 years upon the title set forth at page 3 in the recital of Mr. Munroe's Order. On the other hand, the persons whom the Appellant represents then came forward, asserting that the other party held it as mortgagee, and that he was entitled to redeem. In that state of things Mr. Munroe made the Order, which in point of form was certainly an irregular Order, namely, that the other party should give up possession of the village alleged to have been pledged or mortgaged, upon an undertaking of the Plaintiff to pay what might ultimately be found due.

That Order went by appeal from Mr. Munroe, who was the Deputy-Collector, to the Collector, Mr. Thackeray; and if the question raised were a question of jurisdiction there could be no doubt in their Lordships' minds that, according to the known and ordinary course in these non-regulation provinces, in fact, it may be said throughout the territories of the East India Company, where there is jurisdiction in a Deputy-Collector there would be an appeal to the next superior officer in the Revenue Department, namely, to the Collector, and so on, as it appears in this case there was, from the Collector to the Commissioner.

A question is then raised touching the prosecution of this appeal to Mr. Thackeray and the regularity of this Order. But the presumption is *omnia rite acta fuisse*; and the evidence shows that both parties were heard, and that everything

was done as regularly as things are done in a country governed as that country then was.

The papers went up to Mr. Thackeray. It is admitted in three documents that his decision was passed in the presence of both parties, that the Respondent before him had an opportunity of being heard; and the result was the reversal of Mr. Munroe's Order, and a direction that restitution of the village should be made to the Appellant, which was done.

Whether that was a conclusive determination upon the title or not, it seems to their Lordships hardly necessary to decide. It was a clear adjudication of the right of possession at that time; and whether title could have been tried, as in regulation provinces, afterwards by a regular suit, it is not necessary to determine. But there was a clear adjudication that the possession upon the asserted title was in the Respondents, the possession taken from them was restored, and there was (which is the essential thing to be considered) a clear reversal of whatever was found by the Order of Mr. Munroe in favour of the alleged mortgage which is the foundation of the Appellant's title.

It appears then that since the year 1824 up to the commencement of the suit the estate had been held by the Respondent's branch of the family on the title on which they rely. The only way in which their title thus fortified by long enjoyment can be disturbed is by clear and unmistakeable proof of the alleged mortgage.

There is really, when Mr. Munroe's Order is out of the case, not the slightest evidence that the village was held upon a mortgage title.

Under these circumstances, their Lordships think that the attempt to disturb the concurrent judgments of the courts below wholly fails, and they must humbly recommend Her Majesty to dismiss the appeal, with costs.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the document outlines the specific procedures for recording transactions. It details the steps from initial entry to final review, ensuring that all necessary information is captured and verified.

3. The third part of the document addresses the role of the accounting department in this process. It highlights the need for clear communication and collaboration between different departments to ensure the accuracy of the data.

4. The fourth part of the document discusses the importance of regular audits and reviews. It explains how these checks help to identify any discrepancies or errors early on, allowing for prompt correction.

5. The final part of the document provides a summary of the key points and offers some concluding thoughts on the overall importance of a robust record-keeping system for the organization's success.