M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 295 Press / Mis.

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Dated 5-3-1864 19

4/5

Not to be folded or roughly handled

Proceedings of the Madras Government Judicial Department, 5th March 1861.

Read the following papers :—

No. 38. From L. C. INNES, Esq., Civil Judge of Nundial, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st February 1861, No. 4.

I have the honor to request the sanction of the Government for the reimbursement of the following sums which have been credited to Government on account of vacancy of the 5th Gumashta's place in this Court.

From 22nd to 31st March 1860, at 10 Rupees per month.....				3	3 7
Do. 1st to 10th April	do.	do.	....	3	5 4
Do. 16th to 22nd July	do.	do.	....	2	4 2
			Total Rupees...	8	13 1

2. The 5th Gumashta Bhima Rău was dismissed on the 22nd March 1860 and was restored to his situation on appeal to the Sudder Court as per their proceedings dated 25th August 1860; hence he is entitled to the sums which as abovementioned were credited to Government in the interval between his dismissal and his restoration. From the 11th April to 15th July and from 23rd July to 31st August, another person was employed in his place, as I felt confident the Sudder Court would not restore him; and on the orders of the Sudder Court becoming known the amount of his pay for that interval was refunded to him by me, as while the case was under appeal I was not strictly authorized to employ a substitute. I mention this to explain the hiatus between 11th April and 15th July and 23rd July to 31st August for which interval no refund is applied for.

Referred to the Civil Auditor for report.

FORT SAINT GEORGE,
26th February 1861.

(Signed) T. PYCROFT,
Chief Secretary.

No. 39.

No. 153.

On this reference the Officiating Civil Auditor has the honor to report that he can find no precedent on the records of his Office. Such cases should probably be decided on the merits of each. If Bhima Rao was acquitted of all blame, he will no doubt be allowed full pay, although he performed no work during the interval. If the order was reversed on technical grounds, he has scarcely a claim to any compensation for his loss. If the order was modified as being too severe, he may be granted one-fourth of his pay (the allowance to an Officer under suspension) or more according to the circumstances.

CIVIL AUDIT OFFICE,
FORT SAINT GEORGE,
28th February 1861.

(Signed) W. WATERFIELD,
Officiating Civil Auditor.

No. 40.

ORDER THEREON, 5th March 1861, No. 295.

The Civil Judge of Nundial has applied for the refund of Rupees 8-13-1 credited to Government, being the salary of the 5th Gomastah of his Court from 22nd March to 10th April, and from 16th to 22nd July last. The Gomastah had been dismissed, but was restored to his situation on appeal to the Sudder Court.

2. From the Civil Auditor's report, it is observed that Bheema Row's claim to the salary he forfeited in consequence of his dismissal, or to compensation for the loss, will depend on the circumstances of his case. The Civil Judge's letter affords no information in this respect, nor has a copy of the Proceedings of the Sudder Court referred to, been submitted. The Government are unable consequently to dispose of the present application, and request the Judge to address them again on the subject, and to furnish the necessary details.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial.

Proceedings of the Madras Govt.

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Report by the Civil Auditor — 26th — " 153.

Order — 5 March 1861. No 295.

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The Civil Judge of Nundidrug.
" Civil Auditor.
" Sudder Court.

Dated 25-3-61.

List of Marks

Proceedings

Judicial Dept

No 295.

Proceedings of the Madras Govt

dated 5th March 1877

Forwarding the Civil Judge of Trichinopoly to address the Sudder Court on the subject of refunding the sum of Rs 3 - 13 - 1 credited to Govt being the salary of the 5th Gomastah of his Court

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C: 23rd March