

Preliminary Decree
in Original Suit

Appeal filed on : 08-09-2023
Appeal Decided on : 10-09-2025

IN THE COURT OF THE SENIOR CIVIL JUDGE, KUMTA.

O.S.No.10/2023

Plaintiffs:

1. Mahadeva Parameshwar Naik,
A/a: 70 years, Occ: Agriculturist,
R/o: Chittekambi, Post: Hegade,
Kumta Taluk.(U.K.).

-V/s-

Defendants:

1. Rama Parameshwar Naik,
A/a: 80 years, Occ: Agriculturist,
R/o: Chittekambi, Post: Hegade,
Kumata Taluk, (U.K.)
2. Shekhar Parameshwar Naik,
A/a: 68 years, Occ: Agriculturist,
R/o: Chittekambi, Post: Hegade,
Kumta Taluk (U.K.)
3. Subraya Parameshwar Naik
A/a: 65 years, Occ: Agriculturist,
R/o: Chittekambi, Post: Hegade,
Kumta Taluk (U.K.).
4. Jaya Manjunath Naik,
A/a: 45 years, Occ: Agriculturist,
R/o: Chittekambi, Post: Hegade,
Kumta Taluk (U.K.).
5. Shyamala Uttam Naik,
A/a: 48 years, Occ: Agriculturist,
R/o: Doddakoppa, Post: Hegade,
Kumta Taluk (U.K.).
6. Mankali Nagaraj Naik,
A/a: 46 years, Occ: Agriculturist,
R/o: Doddakoppa, Post: Hegade,
Kumta Taluk (U.K.).
7. Ramachandra Devappa Naik,
A/a: 44 years, Occ: Agriculturist,
R/o: Doddakoppa, Post: Hegade,
Kumta Taluk (U.K.).

SUIT CLAIM OF Rs. 12,50,000/-

The plaintiff have filed this suit for partition and separate possession against the defendants claiming 1/6th share in the suit schedule properties, divided by metes and bounds and such other reliefs as this Hon'ble court deems fit to grant under the facts and circumstances of the case.

ದಾವಾಸ್ತಿಯ ವರ್ಣನೆ:

ದಾವಾ "ಅ" ಪುರವಣಿ ಆಸ್ತಿ

ಕುಮಟಾ ತಾಲೂಕು ಹೆಗಡೆ ಗ್ರಾಮದ ಆಸ್ತಿ

ಅ.ನಂ	ಸರ್ವೆ ನಂ.	ಕ್ಷೇತ್ರ	ಆಕಾರ	ಚತುರ್ಗಡಿ
1	858/1ಅ	0-1-12 ಖ ನಿಕ್ಕಿ 0-1-10	0.70	ಸರ್ವೆ ಹಿಸ್ಸಾ ಗಡಿಗಳು
2	858/1ಬ,	0-1-8 ಖ: ನಿಕ್ಕಿ: 0-1-6	0.59	ಸರ್ವೆ ಹಿಸ್ಸಾ ಗಡಿಗಳು
3	858/1ಕ	0-1-4	0.54	ಸರ್ವೆ ಹಿಸ್ಸಾ ಗಡಿಗಳು
4	858/2	0-6-8 ಖ: ನಿಕ್ಕಿ: 0-6-0	2.54	ಸರ್ವೆ ಹಿಸ್ಸಾ ಗಡಿಗಳು
5	859/2ಅ	0-4-0	0.81	ಸರ್ವೆ ಹಿಸ್ಸಾ ಗಡಿಗಳು

ದಾವಾ "ಅ" ಶೆಡ್ಯೂಲ್ ಆಸ್ತಿಗಳ ಮಾರುಕಟ್ಟೆ ಮೌಲ್ಯ ರೂ. 45,00,000/- (ರೂಪಾಯಿ ನಲವತ್ತೈದು ಲಕ್ಷಗಳು ಮಾತ್ರ) ಇರುತ್ತಿದ್ದು ಅದರಲ್ಲಿ ವಾದಿಯ ಅಂಶವಾರಿ ಹಕ್ಕಿನ ಮೌಲ್ಯ ರೂ.7,50,000/- (ರೂಪಾಯಿ ಎಳು ಲಕ್ಷದ ಐವತ್ತು ಸಾವಿರ ಮಾತ್ರ) ಇರುತ್ತದೆ.

ದಾವಾ "ಬ" ಪುರವಣಿ ಆಸ್ತಿ

ಕುಮಟಾ ತಾಲೂಕು, ಹೆಗಡೆ ಗ್ರಾಮ ಪಂಚಾಯತ ಇಮಾರತ ನಂ. 410, 408ಎ ಮತ್ತು 555 ನೇ ಇಮಾರತಗಳು. ದಾವಾ "ಬ" ಶೆಡ್ಯೂಲ್ ಆಸ್ತಿಗಳ ಮಾರುಕಟ್ಟೆ ಮೌಲ್ಯ ರೂ. 30,00,000/- (ರೂಪಾಯಿ

ಮೂವತ್ತು ಲಕ್ಷ ಮಾತ್ರ) ಇರುತ್ತಿದ್ದು ಅದರಲ್ಲಿ ವಾದಿಯ ಅಂಶವಾರಿ ಹಕ್ಕಿನ ಮೌಲ್ಯ ರೂ. 5,00,000/- (ರೂಪಾಯಿ ಐದು ಲಕ್ಷ ಮಾತ್ರ) ಈ ಪ್ರಕಾರ ಇರುತ್ತದೆ.

This suit is coming on for final disposal 10th day of September, 2025 before Smt. B.S.Rayannawar, B.A.L.L.B., Senior Civil Judge, Kumta., in the presence of Sri. B.D.S., Advocates for plaintiff, and Sri. N.S. ., Advocate for defendant No.2, Sri. N.M.N., Advocate for defendant No.3, Sri. C.M.P., Advocate for defendant No. 4 to 7, and the defendant No. 1 placed exparte.

It is ordered and decreed that the suit filed by the plaintiff is hereby partly decreed.

The plaintiff and defendant No.1 to 3 are entitled for 1/4th share in the suit in the suit 'A' schedule property.

It is held that the house property situated in Sy. No. 858/2 the panchayath H.No. 408 of Hegade Village is self property of plaintiff.

The counter claim of defendant No.2 is hereby decreed. It is held that the house property situated in Sy. no. 858/2 the panchayath H.No. 408/A of Hegade Village is self property of defendant No.2.

Suit schedule property shall be partitioned as per Sec. 54 of code of civil procedure, 1908.

Considering the relationship between the parties, costs are made easy.

Given under my hand and the seal of the Court this 10th day of September 2025.

B.S.Rayannawar
Senior Civil Judge, Kumta.

MEMORANDUM OF COSTS INCURRED IN THIS APPEAL

Sl. No	Particulars	By the Plntff	By the D-2	By the D-3	By the D-4 to 7
1	Court Fee paid on the Plaint	200-00	0-00	0-00	0-00
2	Process Fee	56-00	0-00	0-00	0-00
3	Advocate Fees (F.C.not filed.)	00-00	0-00	0-00	0-00
	Total. R.S.	256-00	00-00	0-00	0-00

Decree notified on : 20-09-2025

Decree Signed on : 23-09-2025

“Verified”

Decree Asst.

Sheristedar(Admin)

Senior Civil Judge, Kumta.

(B.D.S)
Adv for Plaintiffs

(N.S.)
Adv for Def No.2

(N.M.N.)
Adv for Def No.3

(C.M.P.)
Adv for Def No.4 to 7

Defendant No. 1 placed exparte.