

Order Sheet
In the Court Of: III ADDL. CIVIL JUDGE AND JMFC BELAGAVI
AT BELGAUM
F.R.No:{f_r_no}
Case Reg.No: FDP/2/2001

Petitioner

V E R S U S

Respondant

1)Shri. Laxman Appayya Chalawadi

**1)Smt. Shantavva wo. Shankar
Chalawadi &21 others**

- 2)Smt. Annapurna w.o, vithal chalawadi,**
- 3)Shri. Kalpana Do. Shankar Chalawadi,**
- 4)Savita Do. Shankar Chalawadi,**
- 5)Anjana Do. Shankar Chalawadi**
- 6)Premanand So. Shankar Chalawadi**
- 7)Shridevi Do Shankar Chalawadi**
- 8)Smt. Pammavva wo. Vasu Chalawadi**
- 9)Shri. Yallappa so. Vasu Chalawadi**
- 10)Prasu So. Vasu Chalawadi**
- 11)Shri. Bhomanna Punnapa Chalawadi**
- 12)Kallappa Yallappa Chalawadi**
- 13)Shri. Basu Yallappa Chalwadi**
- 14)Kasturi wo. Anand Kamble**
- 15)Surekha wo. Ningappa Kambale**
- 16)Papul Basanne Mutagekar**
- 17)Maruti Mallappa Manganonkar**
- 18)Yallappa Bharamanna Pote**
- 19)Anusaya Babu Ghodake**
- 20)Madhu Babu Ghodake**
- 21)Shri. Vijaya Babu Ghodake**

ORDER ON I.A.No.16 to 18

Advocate for Respondent No.22 filed applications i.e. I.A.16 to I.A.18. I.A.16 is to recall RW1 to lead further evidence. I.A.17 for production of documents and

I.A.18 to amend the petition by inserting the left out properties as alleged in the application, accompanying with affidavits and relevant documents.

2. Other side filed objections to the said applications and denied the contents of the affidavits.

3. Heard and perused both sides.

6. It is noticed that, when the property had not been subject matter of partition suit and parties opposing such inclusion, shall be given an opportunity to include those properties in this proceedings. As it is settled law that, court can pass more than one preliminary decree and also the final decreed proceedings initiated on the basis of preliminary decree drawn in a suit for Partition and Separate Possession is nothing but continuation of the suit. It is further noted that, the other side has not taken by surprise, by adding the some of properties to this proceedings. Hence, to award and prevent multiplicity of the suits and proceedings, it is just and necessary to allow the said applications. However, plaintiff will be given an ample opportunities to rebut the contention taken by the present Respondent. Hence, I proceed to pass the following;

: O R D E R :

I.A.No.16 to I.A.18 filed by the Respondent No.22 are hereby allowed on cost of Rupees 500/-.

For cross of RW1 as last chance.

Call on 7/11/2016.

Sd/-
(Smt. Lakshmi G.M.)
III Addl. Civil Judge & JMFC, Belagavi.

