

KABG040003932017



Presented on : 20-02-2017

Registered on : 21-02-2017

Decided on : 10-07-2026

Duration : 9 years, 4 months, 18 days

IN THE COURT OF IV ADDL. CIVIL JUDGE AND JMFC, BELAGAVI

PRESENT: BHUVANESHWARI D. BA, LLB (Hon's), LLM
IV Addl. Civil Judge & JMFC.,
Belagavi

Dated on this the 10th day of July, 2026

ORIGINAL SUIT No.208/2017

PLAINTIFF:	Shri. Ashok S/o Shivaram Kolkar, Age : 44 years, Occ: Agriculture, R/o: Ambedkar Galli, Zadshahapur, Post: Desur, Tal:Dist: Belagavi.
(By Shri B. A. Gangai, Advocate)	

V/s.

DEFENDANTS:	1. Smt. Shevantabai W/o. Bhaganna Sanadi, Age-55 Years, Occ: Household work, R/o. :Ambedkar galli, Zad-shahapur, Post: Desur, Tal: Dist:Belagavi. 2. Sri. Dinakar S/o. Sripad Mane Age-60 Years. Occ: Pensioner, R/O: Behind Rai Chokkadi "C" Wing, Rajkot, Gujarath State.
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	Pin -360001. [Defendant No.1 and 2 are deleted as per order on memo dated 25.09.2025 3. Shri. Ashok S/o. Shripati Mane, Since deceased by his LR's. 3A. Smt. Shobha Wd/o. Ashok Mane, Age: 56 years, Occ: Household, R/o. 'Sri Hari Krupa', H.No. 105, Mandir Marg. 1 Stage, Rani Channamma Nagar, Belagavi. [Deleted as order on mem dt: 25/9/2025] 3B. Shri. Sachin S/o. Ashok Mane, Age: 40 years, Occ: Private Service, R/o. 'Sri Hari Krupa', H. No. 105, Mandir Marg, 1 Stage, Rani Channamma Nagar, Belagavi. 3C. Smt. Rakhi Surendra Kumar, Age: 38 years, Occ: Household, R/o. 'Sri Hari Krupa', H. No. 105, Mandir Marg, 1 Stage, Rani Channamma Nagar, Belagavi. 3D. Smt.Isha D/o Ashok Mane, Age: 36 years, Occ: Household, R/o. 'Sri Hari Krupa', H. No. 105, Mandir Marg. 1" Stage, Rani Channamma Nagar, Belagavi. 4. Shri. Vijay S/o. Shripati Mane, Age: 50 years, Occ: Service, R/o. :C/o. P. Potnis, Walsenkar Block,
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	Opp. Hotel Rajdhant, Solapur, Maharashtra-413001. 5. Shri. Dilip S/o. Shripati Mane, Age: 48 years, Occ: Rickshaw Driver, R/o. Sri Hari Krupa', H.No.105, Mandir Marg, 1 stage, Rani Channamma Nagar, Belagavi. 6. Smt. Vimal W/o. Rajaram Kurane, Age: 35 years, Occ: Household Work, R/o. Plot No. 17, Bagyashri Nivas, Ambedkar Nagar, Belagavi. [Defendant No.3(A), 3(C) to 3(D) and Defendant No.5 and 6 deleted as per order on memo dt: 25/9/2025] 7. Shri. Ravi S/o. Kallappa Dongare, Age: 45 years, Occ: Business, R/o. Raghunath Peth, Angol, Belagavi. 8. Smt. Geeta W/o. Kallappa Dongare, Age: 46 years, Occ: Household Work, R/o. Raghunath Peth, Angol, Belagavi. 9. Mr. Tayyab S/o. Hazarat Mulla, Age: 45 years, Occ: Agriculture, R/o. Gazi Mohalla, Tippu Sultan Nagar, Machhe, Tq/Dist: Belagavi. 10. Shri. Nagayya S/o. Basawani Chikmath, Age : 45 years, Occ: Business, R/o: H. No. 27, Hanamannavar Galli, Angol, Belagavi. 11. Shri. Shivshankar S/o Basawani Chikmath, Age : 44 years, Occ: Business, R/o: H. No. 27, Hanamannavar Galli,
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	Angol, Belagavi. [Defendant No.9 to 11 deleted as per order on memo dt: 25/9/2025]
	12. Shri. Vishwajit S/o Annasaheb Upadhye, Age :45 years, Occ: Business, R/o: Plot No. 17, Yashwant Vihar, Nanawadi, Belagavi.
	13. Shri. Veerdhaval S/o. Annasaheb Upadhye, Age: 40 years, Occ: Business, R/o. Plot No. 17, Yashwant Vihar, Nanawadi, Belagavi.
	14. Shri.Ganapati S/o. Topanna Mayekar, Since deceased represented by his LR's
	14A. Smt. Laxmibai W/o. Narayan Mayekar, Age: 60 years, Occ: Household work, R/o:Maruti Galli, Zadshahapur, Post: Desur, Tq/Dist: Belagavi.
	14B. Shri. Devappa S/o. Ganapati Mayekar, Age: 56 years, Occ: Agriculture, R/o. Chavat Galli, Zadshahapur, Post: Desur, Tq/Dist: Belagavi.
	14C. Shri. Maruti S/o. Ganapati Mayekar, Age: 53 years, Occ: Agriculture, R/o: Maruti Galli, Zadshahapur, Post: Desur, Tq/Dist: Belagavi.
	14D. Smt. Krishnabai W/o. Sateri Nandihalli, Age: 50 years, Occ: Household work, R/o: Maruti Galli, Zadshahapur, Post: Desur, Tq/Dist: Belagavi.

	14E. Smt. Rukmini W/o. Rama Sambrekar, Age: 46 years, Occ: Household work, R/o. Maruti Galli, Zadshahapur, Post: Desur, To/Dist: Belagavi. [D-14A to 14E Deleted order on memo dated 25/9/2025] 15. Shri.Shantaram S/o. Damodar Vernekar, Since deceased represented by his LR's 15A. Smt. Shitabai W/o. Shantaram Vernekar Age: 46 years, Occ: Household work, R/o: H.No. 50, Ranade Marg, Hindwadi, Belagavi. 15B. Smt. Sudhar W/o. Gurunath Anvekar, Age: 32 years, Occ: Household work, R/o: H.No.50, Ranade Marg, Hindwadi, Belagavi. 15C. Smt. Rekha W/o. Vinayak Kudatarkar, Age: 30 years, Occ: Household work, R/o. H.No.50, Ranade Marg, Hindwadi, Belagavi. 15D. Shri. Nagendra S/o. Shantaram Vernekar, Age: 28 years, Occ: Agriculture, R/o. H.No.50, Ranade Marg, Hindwadi, Belagavi. 15E. Smt. Meena W/o. Shankar Vernekar, Age: 26 years, Occ: Household work, R/o. H.No.50, Ranade Marg, Hindwadi, Belagavi. 15F. Smt. Geeta W/o. Nandlal Vernekar,
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	Age: 24 years, Occ: Household work, R/o. H.No.50, Ranade Marg, Hindwadi, Belagavi. 15G. Smt. Sumitra W/o. Suhas Vernekar, Age: 22 years, Occ: Household work, R/o. H.No.50, Ranade Marg, Hindwadi, Belagavi. 16. Shri. Nitin S/o. Murari Desai, Age: 39 years, Occ: Agriculture/Business, [D-15A to 15(c) and 15(e) to 15 (g), D-16 Deleted as per order on memo dated 25/9/2025]
(By Shri R. G. Jadhav, Advocate for Defendant No.7, 8, 12 & 13) (By Shri. A. G. Kulkarni, Advocate for Defendant No.3B) (By Miss. S.C. Joshi, Advocate for Defendant No.15D)	

PARTICULARS

i	Provision under which the application is filed	Under Order XXIII Rule 3 r/w Section 151 of CPC
ii	Relief sought for	Compromise
iii	The date on which the application is filed	25.09.2025
iv	Number of application	-
v	The date on which the objections are filed by different opponents	-
vi	The date on which the orders were passed on the said application	10.07.2026

**ORDER ON COMPROMISE PETITION FILED UNDER ORDER XXIII RULE
3 R/W SECTION 151 OF CPC**

Counsel for plaintiff Shri B.A.G., and counsel for defendants No.7, 8, 12 and 13 Shri R.G.J and counsel for defendant No. 3B Shri. A.G.K. and Counsel for defendant No. 15(D) Miss. S.C.J., have filed compromise petition under Order XXIII Rule 3 of CPC in a suit filed seeking the relief of Declaration, Partition and Separate Possession.

2. Perused the compromise petition and the documents.

3. Plaintiff and defendants No.3B, 7, 8, 12, 13 and 15(D) were present before the Court and due enquiry was made after satisfying as to the proof of their identity by perusing Original Aadhaar Cards into the aspect of free consent given by both of them in being signatories to the compromise petition. The parties submitted that they are voluntarily willing to compromise the matter.

4. Order XXIII Rule 3 of CPC reads as;

"3. Compromise of suit. — Where it is proved to the satisfaction of the Court that a suit has been adjusted wholly or in part by any lawful agreement or compromise 1[in writing and signed by the parties] or where the defendant satisfied the plaintiff in respect to the whole or any part of the subject-matter of the suit, the Court shall order such agreement, compromise or satisfaction to be recorded, and shall pass a decree in accordance therewith 2[so far as it

relates to the parties to the suit, whether or not the subject-matter of the agreement, compromise or satisfaction is the same as the subject-matter of the suit:]

5. After satisfying as to the requirements as contemplated in the aforementioned statutory provision and taking due regard pertaining to the aspect of voluntariness and compromise being lawful and perusal of documents produced by the parties, this Court is of the view that since the suit is filed seeking relief of Declaration, Partition and Separate Possession, in order to settle the dispute on amicable terms, this compromise petition is accepted as the same is not barred by any of the statutory provision contemplated under law. Hence, the following;

ORDER

Compromise petition filed under Order XXIII Rule 3 r/w Section 151 of CPC is hereby accepted.

Suit filed by the plaintiff is decreed in accordance with the terms of compromise as envisaged by the parties to the compromise petition.

Draw decree in terms of compromise petition.

(Dictated to the Stenographer Grade-III directly on computer, typed by her and corrected by me and then pronounced in the Open Court, on this the 10th day of July, 2026).

***Sd/-
(Bhuvaneshwari D.)
IV Addl. Civil Judge & JMFC,
Belagavi***