

PRELIMINARY DECREE

Date of Institution : 25-03-2014

Date of Disposal : 22-06-2022

**IN THE COURT OF SENIOR CIVIL JUDGE ,
AT: BAILHONGAL.**

O.S No.25/ 2014

BETWEEN:

1. **Smt. Salima W/o. Shirajahmad Mulla,**
Age: 77 years, Occ: Agril. & HHW,
R/o. Kittur, Tq: Kittur, Now at Civil Hospital road,
At: Dharwad, Tq & Dist: Dharwad.
2. **Smt. Shameem W/o. Hafiz Attar,**
Age: 54 Yrs, Occ: Agril. & HHW,
R/o. Toll Naka, Attar Compund, At: Dharwad,
Tq & Dist: Dharwad, Now at Dubai, UAE.
3. **Shri. Iliyas S/o. Shirajahmad Mulla,**
(Dead by Lrs)
Age: 51 Yrs, Occ: Agriculture,
R/o. Kittur, Tq: Kittur, Now at Civil Hospital road,
At: Dharwad, Tq & Dist: Dharwad.
- 3a) **Smt. Shahanaz Begaum W/o. Iliyas Mulla,**
Age: 48 Yrs, Occ: HHWr,
R/o. Civil Hospital road fort Dharwad,
At Post: K.C.Park Dharwad,
Tq & Dist : Dharwad.
- 3b) **Shri. Abdul Rahim S/o. Iliyas Mulla,**
Age: 27 Yrs, Occ: Agriculture,
R/o. Civil Hospital road fort Dharwad,
At Post: K.C.Park Dharwad,
Tq & Dist : Dharwad.

- 3c) **Kumari. Nishat D/o. Iliyas Mulla,**
Age: 25 Yrs, Occ: Student,
R/o. Civil Hospital road fort Dharwad,
At Post: K.C.Park Dharwad,
Tq & Dist : Dharwad.

(Lrs. Of plaintiff No.3 brought on records as per order on
IA.No. X, dated 22-10-2019)

4. **Smt. Haseena W/o. Usman Shaikh,**
Age: 47 Yrs, Occ: Agril. & HHW,
R/o.Balagavi, Tq & Dist: Belagavi.
Now at London.
5. **Shri. Intiyaz S/o. Shirajahmad Mulla,**
Age: 45 Yrs,Occ: Agriculture,
R/o. Civil Hospital road Dharwad,
At Dharwad,Tq & Dist : Dharwad.
6. **Shri. Ejaz S/o. Shirajahmad Mulla,**
Age: 40 Yrs,Occ: Agriculture,
R/o. Civil Hospital road Dharwad,
At Dharwad,Tq & Dist : Dharwad.
7. **Shri. Irshad S/o. Shirajahmad Mulla,**
Age: 36 Yrs, Occ: Agriculture,
R/o. Civil Hospital road Dharwad,
At Dharwad,Tq & Dist : Dharwad.

.....Plaintiffs

AND:

1. **Smt. Noorjahan W/o. Abdulrajak Mulla,**
Age: 80 years, Occ: Agril. & HHW,
R/o.Somawar pete, Kittur, Tq: Kittur,
Dist: Belagavi.

2. **Shri. Mahammad Arif S/o. Abdulrajak Mulla,**
Age: 49 years, Occ: Agriculture,
R/o.Somawar pete, Kittur, Tq: Kittur,
Dist: Belagavi.
3. **Shri. Asif Mahammad S/o. Abdulrajak Mulla,**
Age: 47 years, Occ: Agriculture,
R/o.Somawar pete, Kittur, Tq: Kittur,
Dist: Belagavi.
4. **Shri. Altafahmad S/o. Abdulrajak Mulla,**
Age: 43 years, Occ: Agriculture,
R/o.Somawar pete, Kittur, Tq: Kittur,
Dist: Belagavi.
5. **Smt. Farzana banu W/o. Asifmahammad Mulla,**
Age: 45 years, Occ: Agriculture,
R/o.Somawar pete, Kittur, Tq: Kittur,
Dist: Belagavi.
6. **Sri. Fazlurrehman S/o. Mahammadyasin Topinkatti,**
Age: 45 years, Occ: Agriculture,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
7. **Shri. Hizabulrehaman S/o. Mahammadyasin Topinkatti,**
Age: 42 years, Occ: Agriculture,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
8. **Shri. Khaleelulrehaman S/o. Mahammadyasin Topinkatti,**
Age: 40 years, Occ: Agriculture,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
(Since decease by legal heirs)

- 8a) **Smt. Hasina W/o. Khaleelulrahman Topankatti,**
Age: 40 Yrs, Occ: HHW,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
- 8b) **Kumari. Firdos D/o. Khaleelulrahman Topankatti,**
Age: 15 Yrs, Occ: Student,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
- 8c) **Kumar. Ayub S/o. Khaleelulrahman Topankatti,**
Age: 8 Yrs, Occ: Student,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
- 8d) **Kumar. Asfan S/o. Khaleelulrahman Topankatti,**
Age: 5 Yrs, Occ: Student,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.

(The defendant No.8b to 8d minors represented by mother guardian defendant No.8a)

(amended carried as per order on IA.No.IV,
dated: 23-04-2021)

9. **Sri. Amjadhusen S/o. Mahammadyasin Topinkatti,**
Age: 38 Yrs, Occ: Agriculture,
R/o.Kusum Nagar, 9th cross, Dharwad,
Tq & Dist: Dharwad.
10. **Smt. Abeda W/o. Babajaan Inamdar,**
Age: 70 Yrs, Occ: Agril. & HHW,
R/o. Opp. Rizwan Rahamaniya Masjid, Azam Nagar,
Dharwad, Tq & Dist: Dharwad.

10a. **Smt. ShaheenAra W/o. MohammedAli Sanadi,**
Age: 48 Yrs, Occ: HHW,
R/o. Cold Drink house near MK Hubballi Bus Stand
At Post: M.K.Hubballi, Tq: Kittur,
Dist: Belagavi.

10b. **Sri. Nasir Babajan Inamdar,**
Age: 45 Yrs, Occ: Agril. & Police Department,
R/o. Malmaruti Police Station,
At: Srinagar, Belagavi.

10c. **Smt. Sabiyabanu W/o. Mohammedali Kittur,**
Age: 43 Yrs, Occ: HHW,
R/o. Surali, Madagaon, Goa,

10d. **Sri. Naeem Babajan Inamadar,**
Age: 41 Yrs, Occ: Agril.
R/o. Javidbhai Gheewale, Near Namakwala Shop,
6th cross, Azamnagar, Belagavi.

(Amended & Lrs. Brought on records as per order on IA No.
VII,VIII & XI dated: 23.04.2018)

11. **Smt. Khawajabi W/o. Mahaboobsubani Momin**
Age: 61 Yrs, Occ: Agril. & HHW,
R/o. Guruwar Pete, Kittur,
Tq: Kittur, Dist: Belagavi.

11a. **Smt. Asiya W/o. Shamim Manholi,**
Age: 43 Yrs, Occ: HHW,
R/o. Behind BST Quarters, Block No.1, Quarters No.1,
Near Arbiya Hotel, Mumbai Central,
Maharashtra State.

- 11b. **Sri. Wasim Babajan Momin,**
Age: 41 Yrs, Occ: Agriculture,
R/o. Near Madina Masjid, Guruwar peth Kittur,
At Post: Kittur, Tq: Kittur, Dist: Belagavi.
- 11c. **Smt. Raeesa W/o. Amjadhusen Topinkatti,**
Age: 35Yrs,Occ: Nil,
R/o. Kusumnagar, 4Th Cross sadankeri, Dharwad,
Tq & Dist: Dharwad.

(Amended & Lrs. Brought on records as per order on IA No.VII,VIII & XI
dated: 23.04.2018)

- 12 **Smt. Fatima W/o. Mahammadshafi Kittur,**
Age: 58 Yrs, Occ: Agril. & HHW,
R/o. Auto Nagar, Double road,
Belagavi, Tq & Dist: Belagavi.
13. **Sri. Mahammadgouse S/o. Abdulkhadar Ustad,**
Age: 60 Yrs, Occ: Business,
R/o. Nekar Oni, Kittur, Tq: Kittur,
Dist: Belagavi.
14. **Sri. Vishnu S/o. Ningaji Kalal,**
Age: 58 Yrs, Occ: Business,
R/o. Nekar Oni, Kittur, Tq: Kittur,
Dist: Belagavi.
15. **Sri. Manjunath S/o. Prakash Kalal,**
Age: 21 Yrs, Occ: Business,
R/o. Mulla Oni, Kittur, Tq: Kittur,
16. **Sri. Inayatulla S/o. Sultansab Belawadi,**
Age: 35 Yrs, Occ: Business,
R/o. Mulla Oni, Kittur, Tq: Kittur,
Dist: Belagavi.

17. **Smt. Sabiya W/o. Iliyas Mulla,**
Age: 50 Yrs, Occ: HHW,
C/o. Tabasum Z Attar,
R/o. Singapura Main road,
M.S.Palya Circle, Near Limra Education & Welfare Trust,
Jalahalli, Bengaluru.
18. **Smt. Tabassum W/o. Ziaulhaq Attar,**
Age: 31 Yrs, Occ: HHW,
C/o. Tabasum Z Attar,
R/o. Singapura Main road,
M.S.Palya Circle, Near Limra Education & Welfare Trust,
Jalahalli, Bengaluru.
19. **Smt. Tahseen D/o. I. Kallemani,**
Age: 30 Yrs, Occ: HHW,
R/o. Malapur Main road,
Opp. Ramanagoudar Hospital, Dharwad,
At Post: Dharwad. Tq & Dist: Dharwad.
20. **Kumari. Rukhsar D/o. Iliyas Mulla,**
Age: 27 Yrs, Occ: Student,
C/o. Sri. Basheer Halabhavi,
R/o. Yattingudd road, Malapur,
At Post: Dharwad, Tq & Dist: Dharwad.

(Defendant No. 17 to 20 inserted upon order on IA No. XI,
Dated: 22-10-2019)

.....Defendants

Suit for : The plaintiff has filed this suit for
**Partition & Separate Possession & For Rectification of
Revenue n& Gram Panchayat Records.**

Suit Valuation : **Rs. 1,08,51,000/-** for the purpose of
court fee and court jurisdiction.

PLAINT UNDER ORDER VII RULE 1 OF C.P.C.

This petition coming on **22nd day of June-2022** for final disposal before **Smt. Usharani R. B.A.L.,L.L.M., Senior Civil Judge, Bailhongal**, in the present of **Shri. A.I.A.**, advocate for plaintiffs, **Shri. S.A.B.**, defendant No.1 to 5, **Shri. S.M.M.**, advocate for Defendants No. 13 & 15, **Shri. R.A.P.**, advocate for defendant No.14, **Defendant No. 6, 7 & 8 (a to d), 9, 10,11(ABC), 16, D-12, 17 to 20** are **Placed Ex-Parte**. It is ordered and decreed that:

ORDERS

The suit of the plaintiffs is partly decreed with proportionate costs.

The plaintiff Nos.1 to 7 are together entitled for 2/ 8th share. Defendant Nos.1 to 5 are together entitled for 2/ 8th share. The defendant Nos.6 to 9 are together entitled for 1/ 8th share. The defendant No.10 to 12 are entitled for 1/ 8th shares each in the suit properties except item No.5 and 6.

O.S.No. 25/2014

(Given under my hand and the seal of the court this 22nd day of June-2022)

Sd/-
(Smt. Usharani R.)
Senior Civil Judge, Bailhongal

BILL OF COST

Sl. No.	Particulars	By the Plaintiffs Rs. – Ps.	By the Defendants Rs. – Ps.
1	C.F on Plaint	275-00	--
2	C.F on Vakalat	01-00	03-00
3	C.F. on P.F.	100-00	--
4	Documents	01-00	--
5	I.A.	10-00	--
5	Cost (Memo not filed both sides)	—	--
	Total	387-00	03-00

DESCRIPTION OF SUIT PROPERTIES

A) DESCRIPTION OF AGRICULTURAL PROPERTY

The suit agricultural land is bearing R.S.No. 207/1+2 measuring 18 Acres 19 Guntas Pot Kharab 08 Guntas Net 18 Acres 11 Guntas Assessed at Rs. 62.23 paise of village Kittur (Parshanatti(, Tq: Bailhongal. The above said agricultural property is worth more than Rs. 15,00,000/- per acre. The boundaries of suit agricultural property is as under:

Towards East : Land of Bikkanavar family

Towards West : Kulavalli road then land of Tasagaon.

Towards North : KEB Grid.

Towards South : Land of Hasansab Soudagar.

B) DESCRIPTION OF HOUSE & OPEN SPACE PROPERTIES:

Sl.No	G.P.No.	Village	Area	Market value
1.	370/A(House)	Kittur	24 X 90 feet	Rs. 60,00,000
2.	370/B(Backyard)	Kittur	25 X 45 feet	

The Sl. No. 1 & 2 properties are not houses as depicted in the Gram Panchayat records. The roof of house is Mangalore tile having one storyed construction with teak wooden plunks. The house is facing towards Northern side. The above properties situate at Mullanavar Oni, of Kittur in the limits of Gram Panchayat Channamana Kittur, The boundaries of it as under:

Towards East : House of Abbasali Kalyani
 Towards West : I.B.Road.
 Towards North : Panchayat Road.
 Towards South : House of Abdulsattar Maldar.

3.	469/A	Kittur	25 X 50 feet	Rs. 20,00,000
4.	469/B	Kittur	25 X 80 feet	

The Sl.No.3 & 4 properties is one part consist of open space situated at Tegur Masjid Oni, of Kittur in the limits of Gram Panchayat Channamana Kittur. The boundaries of it as under :

Towards East : House and backyard of Iqbal Bassapur
 Towards West : I.B.Road.
 Towards North : House and backyard of Abdulajiz Teenwale
 Towards South : Panchayat Road.

5.	235	Kittur	25 X 100 feet	Rs. 25,00,000
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That in Sl.No. 5 property there is old house and open space. The property situated at Nekar Oni, Kittur in the limits of Gram Panchayat Channamana Kittur. This property in Gram Panchayat records standing in the name of Defendant No. 13. The boundaries of it as under:

Towards East : Open space of Hebbelli,
 Towards West : Panchayat Road.
 Towards North : G.P.No. 236.
 Towards South : House of Prabhu Undi.

6.	236	Kittur	25 X 100 feet	Rs. 25,00,000
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The Sl.No.6 property is open space situated at Nekar Oni, Kittur in the limits of Gram Panchayat Channamana Kittur. This property in Gram Panchayat records standing in the name of defendant No.14. The boundaries of it as under:

Towards East : Panchayat Road.
 Towards West : Open Space of Hebbelli
 Towards North : House of Raju Mulgund
 Towards South : G.P.No. 235.

7.	331/2	Kittur	35 X 60 feet	Rs. 25,00,000
8.	331/2	Kittur	17 X 20 feet	Rs. 05,00,000

The Sl.No. 7 & 8 properties in Gram Panchayat records standing in the name of defendant No. 15 & 16. In the Gram Panchayat two property extract with same number are available in the name of defendant No. 15 & 16. There is RCC one floor building in it and remaining area is open space situated at Mulla Oni, of Kittur in the limits of Gram Panchayat Channamana Kittur. The common boundaries of it as under:

O.S.No. 25/2014

Towards East : Property of Irshad Mulla.
Towards West : Property of Ameeruddin Belawadi.
Towards North : Panchayat Road.
Towards South : Panchayat Road.

Decree notified on: 24/06/2022
Decree signed on : 27/06/2022

Prepared by Verified by

Decree Clerk

Senior Sheristedar

Sd/-
(Smt. Usharani R.)
Senior Civil Judge, Bailhongal.

O.S.No. 25/2014

Preliminary Decree

Date of Institution : 20.08.2013

Date of Disposal : 03/01/2019

IN THE COURT OF SENIOR CIVIL JUDGE AND ADDL. M.A.C.T.,
BAILHONGAL, AT: BAILHONGAL.

O.S No. 51/ 2013

BETWEEN:

1. Shri Basavaraj Yashawantgouda Patil,
Age: 54 years, Occ: Private Service ,
R/o. H NO 170, 2 nd stage Guru Prasad Nagar
Belagavi

.....Plaintiff

AND:

1. Shri Ashokgouda Yashwantgouda Patil
Age: 58 years, Occ: Agriculture,
R/o. H No 4647 Badakal Galli Belagavi
2. Shri Anudeep Ashokgouda Patil
Age: 20 years, Occ: Student
R/o. H No 4647 Badakal Galli Belagavi
3. Smt Prema W/o Gangadhar Kotagi
Age: 51 years, Occ: House hold work
R/o. Kadrolli, 'Tq: Bailhongal Dist: Belagavi
4. Smt Anasuya W/o Chandru Nandi
Age: 40 years, Occ: House hold work
R/o. KK Koppa Tal & Dist : Belagavi

.....Defendants

Claims for: Partition and Separte possession and Declaration.

Suit Valuation : Rs.250/- and Rs. 15,03,510/- for court fees and
court jurisdiction.

PLAINT U/OR. 7 RULE 1 OF CPC
SUIT FOR PARTITION AND SEPARATE POSSESSION

This petition coming on this day for final disposal before Smt. ShriKaveri B Kalmath, B.Com. LL.B.(Spl), Senior Civil Judge, Bailhongal and Addl. MACT, Bailhongal in the presence of Sri. N M Sogalad , Advocate for Plaintiff and Sri. N M Kulkarni , Advocate for Defendant No. 1,& 2 Miss J G Boodihal Advocate for Defendant No. 3, Sri SS Aladakatti Defendant No. 4 . It is ordered and decreed that:

ORDER

Suit of the plaintiff is hereby decreed in part as under;

The plaintiff, defendant No 1 and defendant No 3 have got 1/3rd share in all the suit schedule A, B and C properties Except Ser No 1 and A schedule property I.e, Sy No 77 /lb/1 .

Further order of P & SC No 20/2011 passed by the IV Addl . Civil Judge (Jr.Dn.) Belagavi is not binding on the share of plaintiff.

The plaintiff is entitled for partition and separate possession of his 1/3rd share as required U/Sec 54 of CPC.

Given under my hand and the seal of the court this 3rd day of January 2019.

Kalmath)

Bailhongal

(ShriKaveri B

Senior Civil Judge,

Description of Suit Property :

Sl. No.	Descripti on block No	Area Extent Acre-gunta	Assessme nt Rs. Ps	Place	Apox Value
1	77/1B/1	5.30 (-0.02) 5.28	13.11	Shigihalli KS Bilhongal Tq	3,50,000/-
2	86/6	3.21 (-0.01) 3.20	3.64	Marikatti Village Bailhonga I Taluka	2.50,000/-
3	145	7.14 (-0.0.03) 7.11	16.74	Marikatti Village Bailhonga I Taluka	5,50,000/-
4	183/2B/2	1.28	2.20	KK Koppa Vilage Bailhonga I Talaluk	2,50,000/-
5	113	6.07	8.07	Marikatti Village Tq:	5,00,000/-

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**SCHEDULE B
HOUSE PROPERTIES**

SER No	Description Block No	Area extent Acre- gunda	Place		Appox Value
1	247/A	RCC House	Marakatti vilage Bailhongal	Standing in the name of Deft-2	50,000 /-
2	247/A/1	House	Marakati Village Bailhongal	Standing in the name of Deft no 1	50,000 /-

**Schedule C
Remaining Properties**

Ser No	Company Name	Share Certi	Dated	No of shasre s	Value
1	Markandeya sugar Factory	12691	30-07-01	1	2010- 00
2	Malaprabha coop sugar Factory Ltd MK Hubli (Mem No 10102)	10740	23-03-78	1	500.00
3	Bhagyalaxmi Coop Sugar Factory Ltd, Khanapur	2078	28-07-00	1	1000- 00

BILL OF COST

Sl. No.	Particulars	By the Plaintiff Rs. – Ps.	By the Defendants Rs. – Ps.
1	C.F on Complaint	250-00	--
2	C.F on Vakalat	01-00	--
3	C.F. on P.F.	38-00	--
4	Documents	07--00	
5	I.A.'s	10-00	
6	Advocate Fee	--	--
	Total	306-00	00-00

Decree notified on : 05/01/2019

Decree signed on : 14/01/2019

Prepared by Verified by

Decree Clerk Adm. Sheristedar (ShriKaveri B
Kalmath)

Bailhongal

Senior Civil Judge,

Decree

Date of Institution : 07.07.2017

Date of Disposal : 06/07/2019

IN THE COURT OF SENIOR CIVIL JUDGE AND ADDL.

M.A.C.T., BAILHONGAL, AT: BAILHONGAL.

O.S No. 61/ 2017

BETWEEN:

1. Smt Shobha W/o Ashoka Dubbanamaradi,
Age: 30 years, Occ: Agriculture and household work,
R/o. Basapur K A Tq: Kittur Dist Belagavi
2. Smt Surekha W/o Irappa Kurabar,
Age: 28 years, Occ: Agriculture and household work,
R/o. Karavinakoppa Tq: Khanapur Dist: Belgaum

.....Plaintiff

AND:

1. Shri Sidramapa Shivappa Dangur
Age: 70 years, Occ: Nothing,
R/o. Sangolli Tq: Bailhongal
2. Smt Sharada W/o Parasarama Kurubar
Age: 26 years, Occ: Agriculture and Household work
R/o. Topinakatti Tq: Khanapur Dist: Belagavi
3. Smt Shashikala Fakkirappa Dangur
Age: 26 years, Occ: Nothing
R/o. M K Hubballi 'Tq: Bailhongal
4. Kumar Siddarth Fakkirappa Dangur
Age: 05 years, Occ: Nothing
R/o. M K Hubballi, Tq: Kittur Dist: Belgaum
(Defendant No 4 is minor represented by natural
mother defendant no 3)
5. Smt Gangawwa W/o Sidramappa Dangur
Age: 60 years Occ : nothing]
R/o Sangolli Tq: Bailhongal

....Defendants

Claims for: Partition and Separte possession .

Suit Valuation : Rs. 22,50,000,- for court fees and court jurisdiction.

PLAINT U/OR. 7 RULE 1 OF CPC

This petition coming on this day for final disposal before Smt. ShriKaveri B Kalmath, B.Com. LL.B.(Spl), Senior Civil Judge, Bailhongal and Addl. MACT, Bailhongal in the presence of Sri. SA B Puje, Advocate for Plaintiff and Sri. I M Gudammanavar, Advocate for Defendant No. 1, 2 & 5, Shri D S Dodamani Advocate for Defendant No. 3 and 4. It is ordered and decreed that:

ORDER

Suit of the plaintiff is hereby dismissed.

Given under my hand and the seal of the court this 6th day of July 2019.

(ShriKaveri B Kalmath)
Senior Civil Judge, Bailhongal

Description of Suit Property :

SNo	Block No	Acre-Gu	Asstt Rs. Ps	Place	A- Value
1	105/6	3-11	7-86	Sangoll i	13,10,000/-
2	92/1p	02-14	6-63	-DO-	09,40,000/-

....2/-

BILL OF COST

Sl. No.	Particulars	By the Plaintiff Rs. – Ps.	Deffs Rs. – Ps.
1	C.F on Plaint	200-00	--
2	C.F on Vakalat	01-00	--
3	C.F. on P.F.	36-00	--
4	Documents	02--00	--
5	I.A.'s	10-00	--
	Total	249-00	--

Decree notified on : 08/07/2019

Decree signed on : 20/07/2019

Prepared by Verified by

Decree Clerk Sheristedar (ShriKaveri B Kalmath)
Senior Civil Judge, Bailhongal

