

PW1

Original Suit No:- 685/2024

IN THE COURT OF THE PRL., SR-CIVIL JUDGE GOKAK
AT:- GOKAK

BETWEEN,

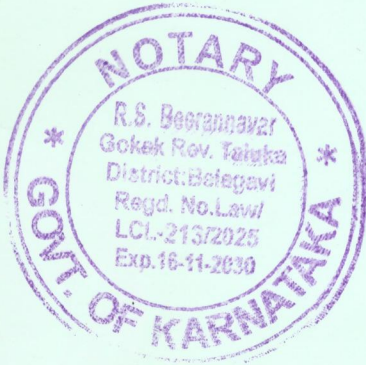
1. Shri. Basavantappa S/o Balappa Kakkalli

...Plaintiff.

AND,

1. Shri. Balappa S/o Basavantappa Kakkalli
And others

...Defendants.



**EXAMINATION-IN-CHIEF OF PW-1 BY WAY OF
AN AFFIDAVIT.**

Herein, I, Basavantappa S/o Balappa Kakkalli, Age:-61 years, Occ:- Agriculture, R/o:- Ningapur, Tq: Gokak, Dist: Belagavi, today at Gokak, do hereby state on solemn affirmation and make the following affidavit.

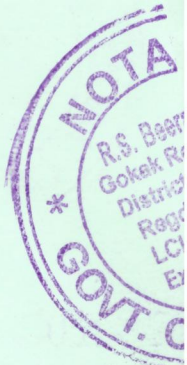
1. I am the plaintiff in this suit and I know the facts and circumstances of this suit, hence I am swearing this affidavit.
2. I have filed the present suit for partition and separate possession in the suit properties against the defendants.
3. The suit properties clearly described in schedule-A and the Genealogy of myself and defendants as shown in schedule-B annexed are true and correct.
4. The propositus Basavantappa Kakkalli and his wife Basavva are died long back leaving behind them their only son i.e, defendant No 1 as his class 1 legal heir. After death of propositus the defendant No 1 had succeeded to the suit properties as legal heirs. Accordingly the name of defendant No 1 was appeared in the R/R of the suit properties.

CR
see
(M.M.B.)
for M.R.B.
Adv for A-3

gub.

No. of CORRECTIONS

5. The suit properties are the ancestral Hindu undivided joint family properties of family of plaintiff and defendants. I and defendants have been in actual joint possession, use enjoyment the suit properties. Myself and defendants have jointly growing the crops in the suit properties and harvesting the same every year. Moreover we are jointly paying the land revenue, water tax to the Government every year. There was/is no partition between me and defendants in respect of suit properties by metes and bounds.
6. This being a state of affairs, the defendant No.1, has illegally and without knowledge and behind the back, without notice for me and defendant No 4, and with active collusion with defendant NO-3 have creating an illegal document under name and styled Baksis Patra (Gift. Deed) dated 13-03-2024 in respect of suit property at SI No. 1. in fact the defendant No 1 alone has no right to alienate the suit properties. On the basis of alleged Gift deed the defendant No 3 have not acquired any right title & interest over the sult property at SI NO.1. It is submitted that, very recently I verified the records of the suit properties, and it came to the my knowledge that illegally without my consent and defendant No- 2 & 4 the defendant No 1 has allegedly executed the said alleged Gift deed in favour of defendant No-3. Hence the alleged Gift deed allegedly executed by defendant No1 in favour of defendant NO.3 is not binding on my share.
7. Now the relation between me and defendants is not cordial, hence the defendants are not co-operating with me in joint possession of suit properties. Thus it is very difficult for me to remain in joint with defendants. Therefore, I requested the defendant No. 1 to effect the partition in the suit properties on 28-10-2024 and the same has been refused by defendant No 1. I took up the matter before the elders but the defendants have no mind to hear the words of the elders of the village.



Due to this reason, the relation between me and defendants are strained. Due to strained relationship I decided to separate from defendants by effecting partition. Therefore I have left no efficacious remedy, except to approach this Hon'ble Court for the relief of partition. Hence I am constrained to file this suit for the relief of partition and separate possession.

8. Hence it is most humbly prayed that, the suit may kindly be decreed and I may be awarded separate possession of 1/4th share in the suit properties by effecting partition by meats and bounds.

9. I have produced all the necessary documents and same may kindly be marked as exhibits.

Hence this affidavit

Place: Gokak
Date:- 09-06-2026


Deponent

VERIFICATION

Herein, I, Basavantappa S/o Balappa Kakkalli, Age:-61 years, Occ:- Agriculture, R/o:- Ningapur, Tq: Gokak, Dist: Belagavi, today at Gokak,, today at Gokak, do hereby state and verify that the contents of the above paras of the affidavit are read over, translated and explained to me and the same are true and correct to the best of my knowledge, belief and information.

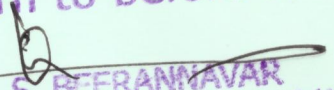
Place: Gokak
Date:- 09-06-2026


Deponent

" I know the Deponent"


(S. B. Koujalagi)
Advocate for plaintiff.



Sworn to before me

R. S. BEERANNAVAR
B.Com., LL.B. (Spl.)
ADVOCATE & NOTARY, GOKAK.
9 JUN 2026

No. of CORRECTIONS