

IN THE COURT OF CIVIL JUDGE AND JMFC, KITTUR

PRESENT: Mahammadali Nayak,
B.B.A.,LL.B.(Hons.)
Civil Judge & JMFC, Kittur

Dated this the 13th day of July, 2026

O.S.No.53/2025

Between:

Shri. Shankar @ Shankreppa S/o Basappa Chandaragi

..... Plaintiff

And:

Smt Shoba W/o Adivappa Jolad

..... Defendant

ISSUES

1. Whether the plaintiff proves that, the sale agreement dated 04.03.2013 is obtained by playing fraud and without the consent of the co-sharers and liable to be cancelled?
2. Whether plaintiff proves that, he is in possession and enjoyment of the plaint schedule property as on the date of the suit?
3. Whether plaintiff proves that, the defendant has put up un-authorized construction over the plaint schedule property?
4. Whether the plaintiff proves the alleged illegal interference by the defendants over the plaint schedule property?
5. Whether the suit is properly valued for the purpose of court fee and jurisdiction?

6. Whether the plaintiff is entitle for the reliefs as sought for?
7. Whether the defendant proves that, the plaintiff has executed the agreement dated 07.03.2010 and agreement of sale dated 04.03.2013 agreeing to sell the plaint schedule property in his favour for total consideration of Rs.70,000/- and received Rs.60,000/- towards sale consideration amount on the same day ?
8. Whether the defendant is ready and willing to perform his part of contract ?
9. Whether suit is barred by law of limitation?
10. Whether the counter claim is properly valued for the purpose of court fee and jurisdiction?
11. Whether the defendant is entitled for the reliefs as sought for?
12. To what order or decree?

**Civil Judge & JMFC.,
Kittur**

Note: Issue No.5 and 10 are treated as preliminary issues and will be heard as such.