

In the Court of the P.M. Judge
(Prm) Mudhol.

00-89145
FDP No 1/2002

(1) Kumari Kashawwa & Sadashiv
Santi @ Ranjanagi &
Mallappa P.J. and another one ... P.H.

- V/S -

(2) Sadashiv Mallappa Santi
@ Ranjanagi & Hosa-Yanagudri
and another one

Before Sri: V.H. Waddar BALLB (Sp/),
P.M. Judge (Prm) Mudhol.

4.1.2002 Appn U/O 20 R 18 CPC presented by
Sri S.B. Jamagouda Adv for P.H.
Vakalatnama by Sri S.B. Jamagouda
Adv for P.H. is filed.

Lost with Three Docs is filed.

Process Memo with P.F. of Rs 20/- is filed
Prayer: - (a) To appoint the A.D.L.R. JKD
as Court Commissioner to prepare
"Wafat-tagtha" in respect of the lands
RSNO 66/4 and 66/3, of Mallappa P.J.
as per the decree nos 260/96 of this
Court.

(b) To appoint the A.D.L.R. JKD as a Court
Commissioner to prepare "Wafat-tagtha"
in respect of lands RSNO 136/2, 123/A,
and 123/B/2 of Yanagudri village as per
the decree nos 260/96 of this Court.

P.T.O.

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To appoint any Advocate as
Commissioner to effect partition
the Surt Schedule 'B' property
decree.

(d) To finalise the partition & se
possession on respect of the Surt
properties considering the 'wattf-ta
and report.

IAI UP 33 R 142 CPL - To issue an ad-vo
order of injunction, restraining the
NOI, and his agents, servants, from cu
and transporting the sugarcane g
on the Surt lands, 66/4 and 66/3 of
Mallapur P.S. to the sugar Factory,
the deft NOI be restrained by recei
the sugar bill amount from the Fac
till the disposal of this FDP

Hence for kind orders.

Case is made over to the Addl Civil
(Jr Dn) Mudhol for disposal according
law.

De H/1

Prin. Civil Judge, (Jr Dn.)
and J.M.F.C., MUDHOL

5.1.2002 ReB received from H. B. J. Dn.
Mudhol for disposal according to law
348/2, on 23/9

Hand the sent for
Prin. order by H/1

For. 1102

24/8/11

plb by SBJ

01-BRG

02-Exp

03-BHP

plb no-2 dead

& 0-1-dead

-obj to 2A-748

Sri SBJ put seeks time
to file obj to 2A/8

by 2/9

24/8

2/9/11

plb by SBJ

01-BRG

02-Exp

03-BHP

plb no-2 dead

& 0-1-

-obj to 2A-748

Sri SBJ put seeks time
to file obj. finally

by 7/9

2/9

2/9/11

plb by SBJ

01-BRG

02-Exp

03-BHP

plb no-2 dead

& 0-1

-obj to 2A-748 finally

Sri SBJ seeks time to file

by 2/9

2/9

8/9/11

plb by SBJ

01-BRG

02-Exp

03-BHP

plb -2 dead

& 0-1-

-obj to 2A-748

Sri SBJ filed memo stating
that, in view of order of Hon'ble
High Court of Karnataka
Dharwad bench passed the WP
No 64829/2009 present FDP may
kindly be closed for time being-

2/9

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-Hill the disposal of O.S No.503/2009 on the file of Hon'ble Civil Judge Gokak. He has also produced citation reported in KCCR 2014(4) page 3720.

On perusal of memo filed by the counsel for plaintiffs and also on going through the above said citation, the Hon'ble High Court of Karnataka in the said Order it is observed that, one Lakkawwa filed O.S No.503/2007 before the Civil Judge Court Gokak, seeking partition to an extent of her Half share. Further she has also sought declare the decree passed in O.S No.260/1996 on the file of this court is Null and Void and not binding on her share. Further it is also observed that, if the petitioner i.e., said Lakkawwa Succeeds in O.S No.503/2009, preliminary decree passed in O.S No.260/1996 and present FDP which may be drawn in pursuance thereof would not bind the petitioner's right, which she has to establish in O.S No.503/2009.

VBA

X F PEMP

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Considering the above said observations made by the Hon'ble High Court as well as memo filed by the counsel for plaintiff present FDP is closed as per the request of plaintiffs.

B. S. S.
Addl CJ & JMFC, Muzhol

7-11-15

Sri. B.H.P. Adv. for App't/Pt. Def't
filed an app'n. O/O R-7(2) Hw
Sec 15, CPC requesting
to return original 'will'
produced by him. The def't is
not admitted in evidence.
Hence for orders.

Return the deam-
infor. & camf f 0081
Pr def't after obtaining
Xerox copy, under the
signature

B. S. S.

Received Original will

V.F. Devuraddi
Applicant/Proposed Def't.

(V.B. Haravalli)
16/11/15