

IN THE COURT OF CIVIL JUDGE & J.M.F.C., BANAHATTI

AT: BANAHATTI

O.S No.392/2022

1. Hanamant S/o Kareppa Navi (Dead),
Represented by his LR's,
Kareppa S/o Hanamant Navi and others

... Plaintiffs

- Vs -

1. Man Niranjan Prabhu Nirupadeeshwar Swamiji,
and 4 others

... Defendants

: ISSUES :

1. Whether plaintiffs prove that, themselves and defendant No.3 to 5 are the absolute joint owners of suit property bearing R.S No.66/1B measuring 03 acres 13 guntas situated at Yallatti village as on the date of suit?
2. Whether plaintiffs prove that, defendant No.1 and 2 are in illegal possession of suit land measuring 13 guntas at the Eastern and Southern side of the suit property denoted by letters 'CDEFG' by making encroachment?
3. Whether defendant No.1 & 2 prove that, suit is barred by law of limitation and is barred U/o 2 rule 2 of CPC?
4. Whether defendant No.1 & 2 prove that, suit is barred by the provisions of Bombay Public Trust Act R/w Karnataka Hindu Religious Institution Charitable Endowment Act?
5. Whether defendant No.1 & 2 prove that, suit is bad for non-joinder of necessary parties?
6. Whether plaintiffs are entitled for the relief of Declaration as prayed in the suit?

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7. Whether plaintiffs are entitled for the relief of recovery of possession of suit encroached portion from defendant No.1 & 2?
8. Whether plaintiffs are entitled for mesne profits of Rs.10,000/- per annum as prayed for?
9. Whether defendant No.1 & 2 are entitled for exemplary cost of Rs.5 lakh from plaintiffs?
10. What order or decree?

Place: Banahatti
Date : 02.11.2023


(SHUSHMA T.C.)
Civil Judge & JMFC, Banahatti.