

**MODIFIED PRELIMINARY DECREE ON  
I.A.NO.9 U/SEC.151 CPC**

**IN THE COURT OF PRL. SENIOR CIVIL JUDGE & JMFC, JAMKHANDI.  
F.D.P. NO.21/2006**

1. Smt. Mahadevi W/o Kallappa Maigur,  
Aged about: 40 years, Occ: Household work,  
R/o. Gramadevi Galli, HUNNUR. Tq:Jamkhandi.

**Petitioner.**

**V/S**

- D1) Sri.Siddappa S/o Mallappa Duganavar,  
since deceased by his LRs.
- D1A) Smt. Shaila W/o Siddapa Duganavar,  
Aged: 50 years, Occ: House-hold work,  
R/o.Byali Basaveshwar Temple, Jamkhandi.  
Dist: Bagalkot.
- D1B) Smt. Parwati W/o Sangamesh Maigur,  
Aged: 25 years, Occ: House-Hold work,  
R/o. C/o. Smt. Shaila W/o Siddapa Duganavar,  
R/o.Byali Basaveshwar Temple, Jamkhandi.  
Dist: Bagalkot.
- D1C) Sri. Mahesh S/o Siddappa Duganavar,  
Aged:22 years, Occ: House-Hold work,  
R/o. C/o. Smt. Shaila W/o Siddapa Duganavar,  
R/o.Byali Basaveshwar Temple, Jamkhandi.  
Dist: Bagalkot.
- D2) Sri.Basappa S/o Mallappa Duganavar,  
since deceased by his LRs.
- D2A) Smt. Chandawwa W/o Basappa Duganavar  
@ Demmenever,  
Aged: 45 years, Occ: House-hold work,  
R/o. Kadakol, Tq: Jamkhandi, Dist: Bagalkot.
- D2B) Smt. Gangawwa W/o Maning Hukkeri,  
Aged: 28 years, Occ: House-Hold work,  
R/o. sultanpur, Tq: mudhol. Dist: Bagalkot.
- D2C) Sri. Mallappa S/o Basappa Duganavar

@ Demmenever,  
Aged: 19 years, Occ: House-Hold work,  
R/o. kadakol Tq: Jamkhandi. Dist: Bagalkot.

3. Smt. Bhagawwa W/o Hanamant Kattigeri,  
Aged about:42 years, Occ: Household work,  
R/o. Maitri Galli (Azad Nagar), jamkhandi.
4. Smt. Nagawwa W/o Shrishail Sunagad,  
Aged about:49 years, Occ: Household work,  
R/o.jamkhandi.
5. Sri. Shrishail S/o Gadigeppa Gangannavar,  
Aged about:45 years, Occ: Agriculture,  
R/o.kadakol. Tq:Jamkhandi.
6. Sri. Gurappa S/o Gadigeppa Ganganavar,  
Aged about: years, Occ:Agricullture,  
R/o.kadakol. Tq:Jamkhandi.
7. Sri. Ishwarappa S/o Gadigeppa Ganganavar,  
Aged about: years, Occ: Agricullture,  
R/o.kadakol. Tq:Jamkhandi.

**Respondents.**

**PRAYER ON I.A.NO.9: U/SECTION 151 OF CPC.**

The petitioner has filed an application under section 151 of CPC in the above final decree proceedings and praying for an order to modify the plaintiffs share as 1/5<sup>th</sup> instead of 1 / 15<sup>th</sup> share as passed in preliminary decree in O.S.No. 231/2004 dated:17.10.2005 on the file of Prl.Senior civil judge & JMFC Jamkhandi.

This case is coming on 3<sup>rd</sup> day of August 2024 for disposal on I.A.No.9 before Smt.Kavita S. Undodi B.A., L.L.B., Prl. Senior Civil Judge and JMFC Jamkhandi in presence of Sri.P.G.Payagond Advocate for petitioners, Sri.N.S.Devaravar, advocate for respondent No.1(a) and 1(b), respondent No. 1(c), 2 (a to c) absent. respondent

No.3 dead, Sri.M.R.Sayyad advocate for respondent No.4, Sri.R.R.Kamgond, advocate for respondent No. 5 to 7

Upon reading the preliminary decree passed in O.S.No. 231/2004 dated:17.10.2005 and application I.A.No.9 U/Sec.151 of CPC and after hearing parties and perusing the entire case.

**It is hereby ordered and decreed that:-**

The I.A.NO.9 under section 151 of CPC filed by the petitioner is allowed.

Further it is ordered and decreed that the share of the plaintiff in preliminary decree passed in O.S.No. 231/2004 dated:17.10.2005 on the file of Prl. Senior civil Judge & JMFC Jamkhandi is modified as  $1/5^h$  instead of  $1 / 15^{th}$  share in respect of all the suit property.

Other contents of the original decree in O.S.No. 231/2004 dated:17.10.2005 remain unchanged.

Given under my hand and seal of this court on this 3<sup>rd</sup> day of August 2024

sd/-

Prl. Senior Civil Judge & JMFC  
Jamkhandi.

**::BILL OF COSTS::**

Sl. No.	Particulars	By Plaintiffs Rs.Ps.	By Defendants. Rs.Ps.
1.	C.F. paid on plaint	--	--
2.	C.F on Vakalath	--	--
3.	C.F. on I.A's	--	--
4.	Process Fee	36-00	--
	TOTAL	36-00	--

Decree notified on:05.08.2024  
Decree signed on:08.08.2024

Prepared by:

Verified by:

sd/-

sd/-

sd/-

Decree clerk  
(S.D.A)Shirastedar  
(ADM)**Prl. Senior Civil Judge & JMFC  
Jamkhandi.****SUIT SCHEDULE PROPERTIES:-****LANDED PROPERTY:-**

Sl.No.	Survey No.	Measuring A-G	Assessment Rs.-Ps.	Location
1	62/1/3A	1.11	03.51	Kadacol
2	62/1/3B	1.11	03.51	Kadacol
3	62/1/3C	1.11	03.51	Kadacol

**HOUSE PROPERTY:-**

Sl.NO.	C.T,S.No.	Measuring Sq.Mtrs.	Location
1	3500/1,2	101.17	Jamkhnadi

**Bounded by:-**

To the east: Public road

To the west: A house of Mainuddin Bukare

To the south:A house of Balasaheb Anikhindi

To the north: A house of Shet.

**sd/-**

Pr1. Senior Civil Judge & JMFC  
Jamkhandi.