

**PRELIMINARY-DECREE**

**IN THE COURT OF PRIL SENIOR CIVIL JUDGE, JAMAKHANDI.**  
**AT : JAMAKHANDI.**

**O.S.NO : 106/2012**

**Date of Filing : 13-08-2012**  
**Date of Disposal : 21-08-2014**

1. Kumar Mallikarjun S/o Gulappa Yallur,  
Age: 14 years, Occ: Student, R/o Gothe,  
Tq: Jamkhandi, Dist: Bagalkot.  
Minor Represented by his minor guardian  
natural mother Smt.Mahadevi Plaintiff No.2
2. Smt.Mahadevi W/o Gulappa Yallur,  
Age: 45 years, Occ: Household work,  
R/o: Gothe, Tq Jamkhandi, Dist: Bagalkot.

**... Plaintiffs.**

**- V/S -**

1. Shri. Gurubasappa S/o Ningappa Yallur,  
Age: 60 years, Occ: Agriculture,  
R/o: Buralatti, Tq: Athani, Dist: Belagavi.
2. Smt. Basavva W/o Ravasab Santtiyur,  
Age: 58 years, Occ: Household work,  
R/o: Buralatti, Tq: Athani, Dist: Belagavi.
3. Shri. Gulappa S/o Ningappa Yallur,  
Age: 56 years, Occ: Agriculture,  
R/o: Buralatti, Tq: Athani, Dist: Belagavi.
4. Smt. Tayavva W/o Pawadi Yakkundi,  
Age: 54 years, Occ: Agriculture,  
R/o: Buralatti, Tq: Athani, Dist: Belagavi.
5. Shri. Mahadev S/o Ningappa Yallur,  
Age: 52 years, Occ: Agriculture,  
R/o: Buralatti, Tq: Athani, Dist: Belagavi.
6. Smt. Laxmibai W/o Mallappa Badabadi,  
Age: 40 years, Occ: Household work,  
R/o: Satti, Tq: Athani, Dist: Belagavi.
7. Smt. Gangawwa W/o Kallappa Chanaveer,  
Age: 48 years, Occ: Household work,  
R/o: Kajibilagi, Tq: Jamkhandi,  
Dist: Bagalkot.
8. Smt. Gourawwa D/o Ningappa Yallur,  
Age: 46 years, Occ: Household work,  
R/o: Buralatti, Tq: Athani, Dist: Belagavi.

**... Respondents.**



Nature of Suit: "Declaration Partition and Separate Possession"

Suit Claim: Rs.6,00,000/-

**VALUATION SLIP :-**

The plaintiff has filed this suit for declaration, partition and separate possession. Hence the valued the suit on declaration relief on Rs.1,000/- U/sec 24(b) of KCF and SV Act 1958 and the court fee of Rs.25/- is paid on the plaint.

For the purpose of partition and separate possession in respect of suit porperties maximum court fee of Rs.200/- paid as per sec.35(2) KCF and SV Act 1958. Hence the total Court fee Rs.225/- is paid thereon.

For the purpose of jurisdiction and Advocate fee, the suit is valued Rs.6,00,000/-.

**Prayer :-** The Plaintiffs most humbly pray that;

- A) The Hon'ble court be pleased to pass a preliminary decree in favour of the plaintiffs awarding their 1/16<sup>th</sup> joint share in the suit schedule properties and separate possession thereof be awarded to the plaintiffs by mets and bounds.
- B) The cost of this suit be awarded to the plaintiffs from the defendant No.3.
- C) Such other reliefs which the Hon'ble court deems fit and proper and reasonable be awarded to the plaintiffs, permission to amended the plaint as and when required.

**SCHEDULE - A**

The schedule of the suit land is as under,

Sl. No.	R.S.No.	Measuring A.Gts.	Asstt Rs-Ps	Location
1.	155	25-35 Total measuring 25A.35gt out of it	7.23	Badachi
2.	154/2	6A-19Gts 14-29	8-64	-do-



3. 354/2a+2e/1 2-31 2-10 Kokatanur

4. 355 28-00 26-60 -do-

Total measuring  
28A-00Gt out of it  
7A-15Gts

5. 468/2 5-10 2-62 -do-

**SCHEDULE - B**

The schedule "B" of the suit open space is as under,

Sl. No.	Open space Number	Valuation Location
1.	83/1b1	Village Gothe, Tq Jamkhandi

The above are the suit schedule of the properties in which the plaintiffs have got 1/16<sup>th</sup> legitimate share.

This suit coming on 21<sup>st</sup> day of August 2014, for final disposal before Smt.Maheshwari.S.Hiremath, B.A.,LL.B.,(Spl.), Prif. Senior Civil Judge, Jamkhandi in the presence of Sri.U.H.Kileganvi, Advocate for Plaintiffs, Sri.L.A.Nandrekar, Advocate for Defendant No.1 & 5, Sri.K.R.Chanaveer, Advocate for Defendant No.2, 7 & 8, Defendant No.4 is Exparte and Defendant No.3 and 6 are absent.

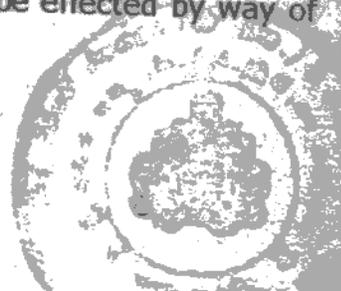
It is ordered and decreed that:

Suit is hereby decreed.

Plaintiffs are entitled for 3/32 share each.

They are entitled for partition and separate possession of their shares by metes and bounds.

Partition is to be effected in respect of agricultural lands U/s.54 of CPC and partition in respect of house property is to be effected by way of appointment of court commissioner.



Considering the relationship between the parties, no order as to costs.

Given under my hand and seal of the Court this 21<sup>st</sup> day of August - 2014.



*(Signature)*  
(Smt. Maheshwari S. Hiremath)  
Pril. Senior Civil Judge & JMFC.,  
Jamkhandi.

BILL OF COSTS

	By Plaintiff	By Defendants
1) C.F on Plaintiff.	225-00	--
2) C.F on W.S.	--	--
3) C.F on Vakalat.	--	--
4) C.F. on Documents.	--	--
5) C.F. on I.As & Applns	--	--
6) Process fees.	151-00	--
7) Advocates fees.	F.C. not filed	F.C. not filed
Total	376-00	--

Draft Decree Notified on: 27-08-2014

Decree Signed on: 04-09-2014

Prepared by:

*(Signature)*  
Decree clerk.

Verified by:

*(Signature)*  
Sheristedar.

*(Signature)*  
(Smt. Maheshwari S. Hiremath)  
Pril. Senior Civil Judge & JMFC.,  
Jamkhandi.