

IN THE COURT OF THE PRL. CIVIL JUDGE

AT HOLALKERE

O. S. No.313 /2022

PLAINTIFFS : : SMT. SEETHAMMA & 02 ANOTHERS

-V/s-

DEFENDANTS : : CHIKKATHIMMAPPA & 09 OTHERS

I S S U E S

1. Whether the plaintiffs prove that, the suit properties are their ancestral and joint family property of plaintiffs and defendants and they are in joint possession of the same and they have got right to claim share over the suit properties?
2. Whether the plaintiffs further prove that, the alleged Sale deed dated:30.06.2021 obtained by the defendant No.2 & 3 from the defendant No.1 in respect to the suit item No.1 property is not binding on them?
3. Whether the plaintiffs prove that their relationship with one Thimmanna @ Thimmappa S/o Sanjeevappa and with the defendants?
4. Whether the defendants prove that, a legally valid partition has already taken place in their family?
5. Whether the defendants No.1 to 3 prove that, the suit item No.1 & 2 properties are the self acquired properties of the defendant No.1 as stated in Para No. 17 of their written statement?
6. Whether the suit of the plaintiffs is bad for non-joinder of necessary parties?
7. Whether the defendants No.1 to 3 are entitled for the relief claimed in their counter claim?
8. Whether the suit is properly valued and requisite court fee is paid on the plaint?

9. Whether the defendants No.1 to 3 prove that, the suit is barred by Law of Limitation?
10. Whether the plaintiffs are entitled for the relief claimed in the suit?
11. What order or decree?

Date : 21.04.2023

[UMESH MP]
Prl. Civil Judge,
Holalkere

Note: Issue No.8 is treated as preliminary issue:

Case called out.
Parties are absent.

Both the counsels submitted that,
there are no chances of settlement.
Hence, case is posted for issues.

**Issues framed and read over in
the open court.,**

**Hence, for the list of witness,
list of documents and plaintiffs
evidence.,**

Call on

Prl.Civil Judge,
Holalkere.

Case called out.

Plaintiffs and defendants are
absent.

Learned counsel for both the side
present and submits that there are
chances of settlement.

Heard and perused.

The plaintiffs have filed the suit
against the defendants seeking
declaration, partition and separate
possession with respect to the suit
properties. Therefore considering the
nature of suit, this matter is referred to
mediation for settlement between the
parties.

Both the parties to the suit are
specifically directed to approach
mediation center, Holalkere along-with
their respective learned counsels
without fail on 23.05.2023

Await mediation report by:
01.06.2023

Prl.Civil Judge & JMFC.,
Holalkere.

