

Decree in Original Suit.
Suit for Partition and Possession

Suit Filed on : 08-10-2020
Suit Disposed on : 11-03-2022

IN THE COURT OF THE SENIOR CIVIL JUDGE & JMFC AT
HARIHAR.

O.S.No. 74/2020

PRESENT: Sharadadevi C. Hatti
B.Com., LL.B., (Hon's),
Senior Civil Judge & JMFC,
Harihar.

Dated this the 11th day of MARCH - 2022

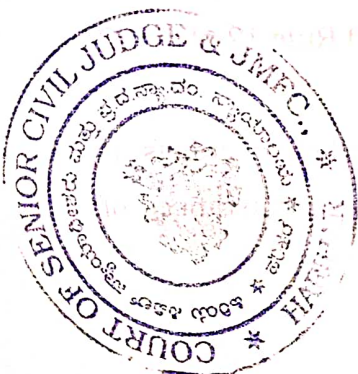
Plaintiffs ::

Smt. Jeevakka,
W/o Veerabhadrappa Bellada,
Aged about 65 years,
Housewife,
Resident of Nandigavi Village,
Harihar Taluk.

V/S

Defendants ::

1. Smt. Veerabasamma,
W/o Basavanyappa,
Aged about 72 years,
Housewife,
2. Sri. Basavanagowda,
S/o Kotrappa Mudigoudra,
Aged about 70 years,
Agriculturist,
3. Smt. Suvarnamma,
W/o Late Rudragowda,
Aged about 55 years,
4. Sri. Veerendra Patil,
S/o Late Rudragowda,
Aged about 30 years,



5. Sri.Manjunatha,
S/o Late Rudragowda,
Aged about 28 years,

6. Sri.Shivakumar,
S/o Late Rudragowda,
Aged about 26 years,

7. Smt Girijamma,
W/o Somashekarappa,
Aged about 50 years,

8. Sri.Chandrashekara Gowda,
S/o Kotrappa Mudigowdra,

(Defendants No. 1 to 8 are R/o Nandigavi Village,
Harihar Taluk, Davanagere District.)

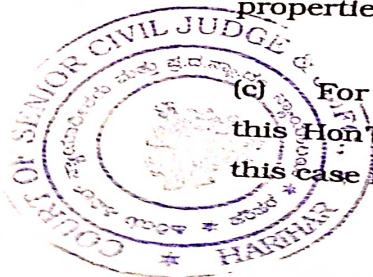
CLAIM:-

The plaintiff prays that the Hon'ble Court be pleased to pass the judgment and decree in favour of the plaintiff as prayed for:-

(a) For partition and separate possession of the 1/6th share of the plaintiff in the suit properties by metes and bounds.

(b) For mesne profits from the date of the suit till the date of the delivery of 1/6th share of the plaintiff in the suit schedule properties by holding an enquiry under order 20 Rule 12 of C.P.C.

(c) For Court cost and to grant such other reliefs or reliefs as this Hon'ble Court deems fit under the nature circumstances of this case in the interest of justice and Equity.



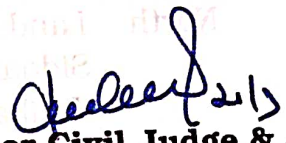
This suit is coming on this day for final disposal before me in the presence of Sri.N.Shivalingappa, Advocate for plaintiff and Sri.P.R.Kuppelur, Advocate for Defendant No. 2 to 5, 7 and 8 and defendant NO. 1 and 6 are placed exparte.

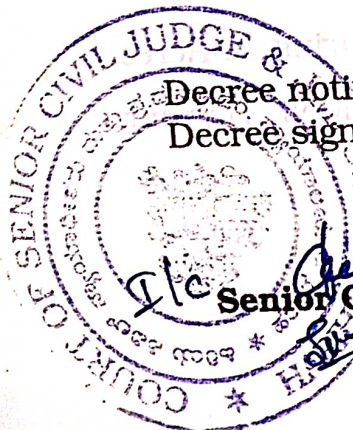
By Judgment,

ವಾದಿಯು ಪ್ರತಿವಾದಿಯರ ಐರುದ್ಧ ಸಲ್ಲಿಸಿದ ದಾವೆಯನ್ನು ಖರ್ಚು ಸಹಿತ ಡಿಕ್ರಿ ಮಾಡಲಾಗಿದೆ.
ವಾದಿಯು ದಾವಾ ಆಪ್ತಿಗಳಲ್ಲಿ 1/6 ಅಂಶ ಭಾಗಾಂಶದ ಹಕ್ಕನ್ನು ಹೊಂದಿದ್ದಾರೆಂದು ನಿರ್ಣಯಿಸಿ
ಆದೇಶಿಸಲಾಗಿದೆ.

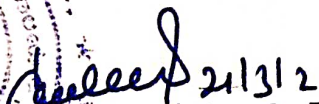
ಮುಂದುವರೆದು, ವಾದಿ ಪ್ರತಿವಾದಿಯರು ಸಿವಿಲ್ ಪ್ರಕ್ರಿಯಾ ಸಂಹಿತೆ ಕಲಂ 54 ರಡಿ ಭಾಗಾಂಶ ಮತ್ತು ಪ್ರತ್ಯೇಕ ಸ್ವಾಧೀನತೆಯನ್ನು ಪಡೆದುಕೊಳ್ಳಲು ಅರ್ಹರಿದ್ದಾರೆಂದು ನಿರ್ಣಯಿಸಿ ಆದೇಶಿಸಲಾಗಿದೆ.

Given under my hand and the seal of the Court, this the 11th day
of MARCH - 2022.


Senior Civil Judge & JMFC,
Harihar. ✓



Decree notified on : 19/3/22
Decree signed on : 21/3/22


Senior Civil Judge & JMFC,
Harihar. ✓

MEMORANDUM OF COSTS.

	For Plaintiff	For Defendant
Court Fee on Plaint	200=00	--
Court Fee on Vakalath	--	--
Court Fee on I.As	--	--
Court Fee on Process	40=00	--
Advocate Fee	F.C not filed.	F.C. not filed
Total	240=00	--

21/3/22
 Jc Senior Civil Judge & JMFC,
 Harihar.

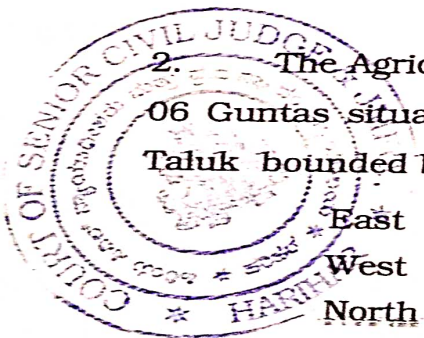
A- SCHEDULE

1. The Agricultural land bearing Sy.No. 30/3, 4, 5 measuring 17 Acres 34 Guntas situated at Nandigavi Village of Malebennuru Hobli, Harihar Taluk bounded by:-

East Road and Gadi
 West Road and Channel
 North Lands of Manjunatha, S/o Basappa, Siddanagowda, S/o Basappa and Karibasappa, S/o Maheshwarappa
 South Land of Kuruvada Halamma and N.G. Veerabhadrappe

2. The Agricultural land bearing Sy.No. 32/5, 6 measuring 10 Acres 06 Guntas situated at Nandigavi Village of Malebennuru Hobli, Harihar Taluk bounded by:-

East Land of H.G. Halappa
 West Road of Kamalapura
 North Land of N.G. Jayanna and H.G. Halappa
 South Lands of M.G. Shivappa, M.G. Kotrappa, M.G. Karibasappa



3. The Agricultural land bearing Sy.No. 16/1, 2, 3 measuring 09 Acres 21 Guntas situated at Nandigavi Village of Malebennuru Hobli, Harihar Taluk bounded by:-

East Land of Gadi Hosalli Y. Nagappa
 West Land of Halappa S/o Patel Halappa
 North Lands of Jadiyappa Hariharada
 South Land of Patel Chandrashekara Gowda, S/o Kotrappa

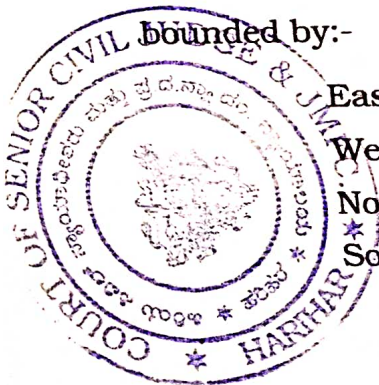
4. The Agricultural land bearing Sy.No. 01/2 and 1/P3 measuring 02 Acres 00 Guntas situated at Nandigavi Village of Malebennuru Hobli, Harihar Taluk bounded by:-

East Land of Parameshwaragowdru
 West Road A.K. Colony
 North Lands of Halappa S/o Patel Halappa
 South Lands of Yellamma W/o Ramachandrareddy

◉ B- SCHEDULE ◉

1. Site No. 51, 40'x33' situated at Nandigavi Village, Harihar Taluk bounded by:-

East Khana of Nadigar Dharmappa
 West Road
 North Shettara Palu
 South House



2. Site No. 65, house and vacant place 40x39 and 70x126 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Property of Kurubara Bharmappa
West Road
North Property of Kotrappa Mudigowda
South Property of Kotrappa Mudigowda

3. Site No. 66, house and vacant place 24x69 and 60x49 situated at Nandigavi Village, Harihar Taluk bounded by:-

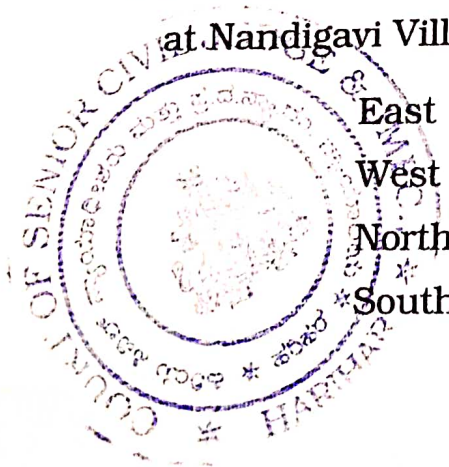
East Land of Nadigara Veerappa
West Road
North House of Kotrappa Mudigowda
South Road

4. Site No. 67, house and vacant place 105x85 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Road
West Palu
North House of Talavara Siddappa
South House of Kote Chowdamma

5. Site No. 65, house and vacant place 40x39 and 70x126 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Property of Kurubara Bharmappa
West Road
North Property of Kotrappa Mudigowdra
South Property of Kotrappa Mudigowdra



6. Site No. 65, house 40x39 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Property of Basavanagowdra
West Road
North House of Chandrashekara Gowdra
South Feet Road left for to and from

7. Site No. 65/1, Vacant place 50x40 situated at Nandigavi Village, Harihar Taluk bounded by:-

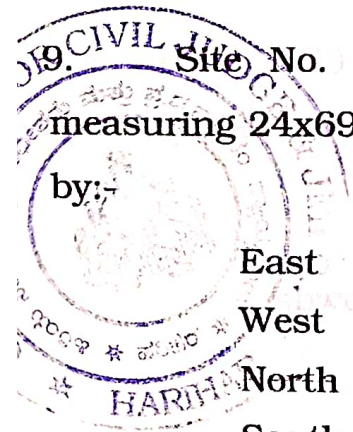
East Property of Kurubara Siddappa
West Road , House of Basavanagowda
North Property of Chandrashekarappa
South Property of Rudragowda

8. Site No. 67/1, Vacant place 105x25 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Road
West Property of Thalavara Siddappa
North House of Thalavara Siddappa
South Property of Chadrashekarappa Gowda

9. Site No. 66/1 (Old Number) New No. 312 vacant property measuring 24x69 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Property of Kotrappa Mudigowdra
West Road
North House of Basavanagowda
South Road



10. Site No. 65/2 vacant place, 50x66 situated at Nandigavi Harihar Taluk bounded by:-

East Khana of Kurubara Siddappa
West Property of Kotrappa Mudigowdra
North Property of Basavanagowda
South Property of Kotrappa Mudigowdra

11. Site No. 66/2 vacant place, 60x49 situated at Nandigavi Village Harihar Taluk bounded by:-

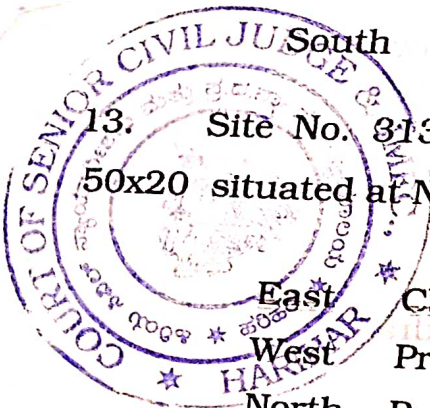
East Khana of Nadigara Beerappa
West Road
North Property of Kotrappa
South Road

12. Site No. 313 New Number and old number 58 vacant place 40x33 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Hissa Chandrashekara Gowda
West Road
North Property of Shettar
South House of Basavanagowda

13. Site No. 313 New Number and old number 65/3 vacant place, 50x20 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Chandrashekarappa Gowda
West Property of Chandrashekarappa Gowda
North Property of Nadigara Bharmappa
South Property of Basavanagowda



31

9

O.S. NO. 74 / 2020

14. Site No. 313 New Number and old number 67/2 vacant place, 105x60 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Road
West Road
North Property of Basavanagowda
South Temple of Kote Chowdamma

15. Site No. 313 New Number and old number 65/3 vacant place, 50x20 situated at Nandigavi Village, Harihar Taluk bounded by:-

East Chandrashekarappa Gowda
West Property of Chandrashekarappa Gowda
North Property of Nadigara Bharmappa
South Property of Basavanagowda



T/c *[Signature]*
Senior Civil Judge & JMFC,
[Signature] Harihar

IN THE HONORABLE COURT OF THE CIVIL JUDGE SENIOR
DIVISION AT HARIHARA

O.S.No. 74/2020

PLAINTIFF

: SMT.JEEVAKKA

V/S

DEFENDANTS

: SMT.VEERABASAMMA and others

VALUATION SLIP

This suit is one for partition and separate possession of 1/6TH Share of both the plaintiff in the suit schedule properties and the suit properties are agricultural lands and hence the suit properties are valued for the purpose of court fee under section 35(2) of KCF and SV act of 1958.

Assessment of suit item No.1 property is 39 x 25 times = rupees 975/- only, item No.2 property is assessed rupees 9.15 x 25 = 229/-, item No.3 property is assessed rupees 14 x 25 = 350/-, item No.4 property is assessed rupees 5 x 25 = 125.

Value of the 'A' schedule properties for the purpose of the court fee is of rupees 1680/-, and for the purpose of jurisdiction the approximate value of the "A" schedule properties is of rupees 20,00,000/-

Approximate value for the purpose of the jurisdiction of the 'B' schedule properties is of rupees 15,00,000/-

So the share of the plaintiffs 1/6th is of rupees 5,83,333/-.
All 'A' and 'B' schedule properties are in joint possession and enjoyment of the plaintiff and defendants till today hence the maximum court of rupees 200/- is paid under section 35(2) of Karnataka court fee and suits valuation act of 1958 is sufficient.



Date 05-10-2020
HARIHARA

Adv for plaintiff
(NS)

"copy"

I/c Senior Civil Judge
HARIHARA.

