

**Preliminary Decree in
Partition and S.Possn.**

**Suit filed on: 25-05-2021.
Disposed on: 26-03-2026.**

**IN THE COURT OF II ADDL.CIVIL JUDGE & J.M.F.C. AT
HARIHAR**

O.S. 83/2021.

- Plaintiff/s**
- 1) Umesh S/o Ramappa Itagi, Aged about 25 years, Agriculturist, R/o Dittur Village, Harihar Taluk.
 - 2) Smt.Uma D/o Ramappa Itagi, Aged about 25 years, Household, R/o Waddarahalli Village, Harihar Taluk.

(Sri. M.R. Adv.,for P-1 & 2)

V/S

- Defendant/s**
- 1) Basateppa Itagi S/o Late Karibasappa, Aged about 61 years, Agriculturist, R/o Dittur Village, Harihar Taluk.
 - 2) Ramappa Itagi Dead by LR's.,
 - 3) Smt. Channabasamma W/o Itagi Ramappa, Aged about 58 years, Household, R/o Dittur Village, Harihar Taluk.

(Sri. K.S.I. Adv.,for D-1. D-2 Dead by LR's, Sri.K.R.S.Adv.for D-3)

Prayer:- To pass the Judgment and Decree in favour of plaintiffs against the defendants for :-

a) To direct the defendants to effect the partition of schedule properties by metes and bounds and allot the plaintiffs 2/3 share and put them in their allotted share. If the defendants failed to do

so the Hon'ble court may be pleased to effect the partition U/s. 54 of CPC., and allot the plaintiff's and put them in their share possession as pr law.

b) To restrain the defendant No.1 to construct any structure on shedule B item No.1 by granting permanent injunction.

c) To award court costs and such other relief's the Hon'ble court deems fit to grant under circumstances of the suit in the interest of justice.

This suit is coming on 26th day of March-2026 for final disposal before Smt. Jyoti Ashok Pattar, B.E., LL.B. C/C. II Addl. Civil Judge & JMFC, Harihar, in the presence of Sri. Mohanrao M.H., Advocate for Plaintiffs No.1 & 2. Defendant No.2 is Dead. Sri. K.Rajashekhar, Advocate for Defendant No.3.

By Judgment, it is ordered and decreed that, the suit of the plaintiffs is hereby partly decreed.

Further, it is declared that the plaintiffs and defendant No.3 are entitled to 1/3 rd share each in the suit schedule B item No.1 property.

The respective sharers shall pay the court fee in respect of their share.

No order as to costs.

Given under my hand and the seal of this Court this 26th day of March-2026.

Preliminary

Sd/-

Decree signed on: 06-04-2026. C/C. II Addl.Civil Judge & JMFC,
Harihar.

Sd/-
C/C. II Addl. Civil Judge & JMFC,
Harihar.

MEMORANDUM OF COST INCURRED IN THIS SUIT

	Plaintiff	Defendant
Court fee for plaint	225-00	--
Advocate's Fee	(F.C.not filed)	(F.C.not filed)
Process Fee	16-00	--
Total :	241-00	--

SUIT SCHEDULE -A

The agricultural landed property bearing Reg.Sy.No. Measuring 37 guntas situated at Karalahalli Village, Harihar Taluk, Davangere Dist.,bounded by :-

- East - Property of Shanmukhappa,
West - Muslim persons,
North - Channel,
South - Dittur Boundary.

SCHEDULE -B

The vacant site property bearing Old Khanesumari No. 18/2B, 296/2 measuring 12X52 situated at Dittur Village, Harihar Taluk bounded by :-

- East - Property of Shanmukhappa,
West - Defendant No.1 property,
North - Jayappa's House,
South - Conservancy.

SCHEDULE -C

The residential house situated at Dittur Village, Harihar Taluk measuring 25X52 feet bounded by :-

- East - Doddeerappa's house,
West - Property of Shanmukhappa,
North - Jayappa,
South - Drainage.

Sd/-

C/C II Addl.Civil Judge & JMFC,
Harihar.

