

IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE &
JMFC., BANTWAL.D.K.

FDP.No.22-2007

Between:

Thimmakke & others ... Plaintiffs

Vs.

Divija B. Bhandary & others ... Defendants

ORDERS I.A.Nos. 37, 48, 51, 53, 54, 58 to 61

Respondent Nos.101 to 106 have filed I.A.No.37 under Sec.151 of C.P.C. to carve out their 6/181th shares in the suit schedule properties.

2. Respondent No.6 to 19 have filed I.A.No.38 under Sec.151 of C.P.C. to carve out their 6/181th shares in the suit schedule properties.

3. Respondent No.157 to 162 have filed I.A.No.39 under Sec.151 of C.P.C. to carve out their 6/181th shares in the suit schedule properties.

4. Respondent No.99 has filed I.A.No.40 under Sec.151 of C.P.C. to carve out his 1/181th share in the suit schedule properties.

5. Respondent No.67(a) & 67(b), 68, 69 and 76 have filed I.A.No.41 under Sec.151 of C.P.C. to separately carve out their 4/181th joint shares in the suit schedule properties.

6. Respondent No.51, 58, 59 have filed I.A.No.42 under Sec.151 of C.P.C. to carve out their 3/181th shares in the suit schedule properties.

7. Respondent No.46 has filed I.A.No.43 under Sec.151 of C.P.C. to carve out his 1/181th shares in the suit schedule properties.

8. Respondent No.225 has filed I.A.No.44 under Sec.151 of C.P.C. to carve out his 1/181th share in the suit schedule properties.

9. Respondent No.210 to 212 have filed I.A.No.45 under Sec.151 of C.P.C. to carve out their 3/181th shares in the suit schedule properties.

10. Respondent No.224 has filed I.A.No.46 under Sec.151 of C.P.C. to carve out his 1/181th share in the suit schedule properties.

11. Respondent No.138(a) to 138(c) have filed I.A.No.47 under Sec.151 of C.P.C. to carve out his 3/181th shares in the suit schedule properties.

12. Respondent No.19 has filed I.A.No.48 under Sec.151 of C.P.C. to carve out his 1/181th share to the respondent No.15 to 21 in the suit schedule properties.

13. Respondent No.29(a) to (b) have filed I.A.No.51 under Sec.151 of C.P.C. to allot 1/181th share of the respondent No.29(a) and (b) in the suit schedule properties.

14. Applicant has filed I.A.No.53 under Sec.151 of C.P.C. to carve out share of respondent No.6 and 134 to an extent of 1/6th share.

15. Respondent No.131 to 133, 135 and 136 have filed I.A.No.54 under Sec.151 of C.P.C. to carve out their 1/181th shares jointly in the suit schedule properties.

16. Respondent No.23 has filed I.A.No.58 under Sec.151 of C.P.C. on behalf of the respondent No.23 to 27 to carve out their 1/181 shares and also share of LRs of deceased respondent No.22 in the suit schedule properties.

17. Respondent No.33 and 34 have filed I.A.No.59 under Sec.151 of C.P.C. on behalf of the respondent No.32 to 35 and 39 to carve out their 6/181 shares jointly in the suit schedule properties.

18. Respondent No.36 to 38 have filed I.A.No.60 under Sec.151 of C.P.C. to carve out their 5/181th shares in the suit schedule properties.

19. Respondent No.119 & 120 have filed I.A.No.61 under Sec.151 of C.P.C. to carve out their 5/181th shares of respondent No.82, 88, 89, 150 and 151 in the suit schedule properties.

20. They have stated that, they have got 6/186 shares from the schedule properties by making payment of Rs.250/- towards the Court fee.

21. Heard & perused.

22. Petitioners have no objection to carve out their shares. Since the petitioners are parties to the original preliminary decree. There is no impediment to carve out their shares.

Hence, I proceed to pass the following:

ORDER

I.A.No.37 to 48, I.A.51, 53 to 54, I.A. 58 to 61 are allowed.

The commissioner is hereby directed to carve out 6/181th share to respondent Nos.101 to 106, 6/181th share to respondent Nos.6 to 11, 6/181th share to respondent Nos.157 to 162, 1/181th share to respondent No.99, 4/181th share to respondent Nos.67(a) 67(b), 68, 69 and 76, 3/181th share to respondent Nos.51, 58 & 59, 1/181th share to respondent Nos.46, 3/181th share to respondent Nos.225, 1/181th share of the respondent Nos.210 to 212, 2/181th share to respondent Nos.224, 1/181th share to respondent Nos.15 to 21, 3/181th share to respondent No.138(a) to 138(c), 1/181th share to respondent Nos.15 to 21, 1/181th share to respondent Nos.29(a) and (b), share of the respondent No.6 and 134 to an extent of 1/6th share, 1/181th share of the respondent Nos.131 to 133, 135 & 136, 1/181th share of the respondent Nos.23 to 27 and LRs of deceased respondent No.22, 6/181th share of the respondent Nos.32 to 35 and 39, 5/181th

share to the respondent Nos.36 to 38, 5/181th
share to the respondent Nos.82, 88, 89, 150 and
151.

**Prl. Senior Civil Judge & JMFC.,
Bantwal, D.K.**

