

KADK610003912023



IN THE COURT OF CIVIL JUDGE & JMFC, MOODBIDRI

DATED THIS THE 11TH DAY OF JANUARY, 2024

O.S./55/2023

PLAINTIFFS : Mrs.Yogishwari R.Hegde
and 2 others

V/s.

DEFENDANT : Mr.N.Babu Bangera

:: ISSUES ::

1. Whether plaintiffs prove that, defendant is in occupation of the house bearing Door No.1-55B on the permission of plaintiffs as a licensee?
2. Whether plaintiffs prove that, defendant is liable to hand over the vacant possession of the suit house to the plaintiffs?
3. Whether plaintiffs prove that, they are entitle for mesne profits at the rate of Rs.7,000/- p.m. from 01.02.2023 to 31.03.2023 and also liable for future mesne profits at the rate of Rs.7,000/- p.m. from the date of the suit till delivery of the possession of the suit house?
4. Whether defendant proves that, the suit is not maintainable as it is barred under Sec.10 of CPC?

5. Whether defendant proves that, the suit is barred under Order II Rule 2 of CPC?
6. Whether defendant proves that, this court has no pecuniary jurisdiction to try the suit?
7. Whether defendant proves that, the court fee paid by the plaintiffs is not correct?
8. Whether plaintiffs are entitle for the reliefs as sought for?
9. What order or decree?

Note: The issues at serial No.4 to 7 are treated as Preliminary Issues.

Sd/-
(MALA C.)
Civil Judge & J.M.F.C.,
Moodbidri