

**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE & CJM  
DHARWAD**

**Original Suit No. 204/2021**

Plaintiffs : Sri Bhimappa I. Malligawad

- Vs -

Defendants : Sri Shekappa & others

**I S S U E S**

1. Whether the plaintiff proves that the suit schedule properties are ancestral joint family properties of himself and the defendant No. 2 to 12?
2. Whether the plaintiff proves that the defendant No.1 obtained decree in O.S. No. 156/2009 based on a fabricated Will said to have been executed by Smt. Shantavva and the said decree does not bind the plaintiff?
3. Whether the defendant No. 1 proves that one Shankaravva w/o: Bhimanagouda Harkuni was the absolute owner of the suit schedule A properties at Sl. Nos. 1, 2 and 5 bearing Rsy. Nos. 988/1, 988/2 and 136?
4. Whether the defendant No.1 proves that Shankaravva w/o: Bhimanagouda Harkuni, on 01.06.1960, executed a Will in favour of the defendant No.2 and his brother Channabasappa in respect of the suit schedule A properties at Sl. Nos. 1 and 2 bearing Rsy. Nos. 988/1 and 988/2?
5. Whether the defendant No.1 proves that Shankaravva w/o: Bhimanagouda Harkuni, on 01.06.1960, executed a Will in favour of the defendant No.2 and his brother Channabasappa in respect of the suit schedule A properties at Sl. No. 5 bearing Rsy. No. 136?

6. Whether the defendant No. 1 proves that he is the absolute owner of the suit schedule A at Sl. Nos. 1, 2 and 5 properties?
7. Whether the defendant No. 13 proves that he is a bonafide purchaser of the suit schedule A at Sl. Nos. 1 and 3 properties?
8. Whether the plaintiff is entitled for partition of the suit properties? If so, what would be his share?
9. What order or decree?

Dt: 17/02/2023

Prl. Senior Civil Judge & CJM.,  
Dharwad