

**Decree
in Original Suit.**

**IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE
AND JMFC, HUBBALLI.**

Suit filed on : 24-04-2023
Suit decided on : 01-03-2024

O. S. No.226/2023

PLAINTIFF :- Umeshgouda S/o. Shivangouda Pujar,
Age: 40 years, Occ: Agriculture,
R/o. Kusugal, Tq: Hubballi, Dist: Dharwad.

- Vs -

DEFENDANTS :-

- 1 Smt. Renuka W/o. Mohan Iti,
Age: 38 years, Occ: Household,
R/o. Kurubar Oni, Near Manappajjan Temple,
Hebsur, Tq: Hubballi,
Dist: Dharwad.
- 2 Sri. Fakkirappa S/o. Mohan Iti,
Age: 28 years, Occ: Household,
R/o. Kurubar Oni, Near Manappajjan Temple,
Hebsur, Tq: Hubballi,
Dist: Dharwad.

Claim : Suit for Specific performance of contract.

Valuation : Valued at Rs.8,50,000/- for the purpose of court
fee, Jurisdiction & Advocate's fee.

This suit is coming on this 01st day of March, 2024 for final disposal before Sri.Chinnannavar Rajesh Sadashiv, Prl. Senior Civil Judge and JMFC, Hubballi, in the presence of Sri.S.M.Kenchangoudra, Advocate for plaintiff and D-1 & 2 Exparte.

It is ordered and decreed that:

:: ORDER ::

Suit of the plaintiffs is decreed in part with costs.

The main relief of specific performance of contract is rejected.

The alternate relief claimed by the plaintiff is allowed and defendants No.1 and 2 are directed to refund earnest money of ₹8 lakhs along with interest at the rate of 6% p.a. to the plaintiff from the date of agreement of sale till its realization within 60 days. Failing which plaintiff can recover the said amount by filing execution petition.

Given under my hand and the seal of the court this the 01st day of March, 2024.

**Prl. Senior Civil Judge,
and JMFC, Hubballi.**

Bill of costs

Sl. No.	Particulars.	By the Plaintiff Rs	By the D-1 & 2 exparte Rs
1.	Court fee paid on plaint.	54000-00	-
2.	Court fee paid on power.	01-00	-
3.	Court fee paid on I. As.	30-00	-
4.	Court fee paid on Documents.	02-00	-
5.	Process fee	12-00	-
6.	Advocate's fee (F. C. not filed)	00-00	-
	TOTAL :	54045-00	-

Decree signed on: 07-03-2024.**Decree clerk.****Sheristedar.****Prl. Senior Civil Judge,
and JMFC, Hubballi.****-: SUIT SCHEDULE PROPERTIES :-**

ಧಾರವಾಡ ಜಿಲ್ಲಾ ಹುಬ್ಬಳ್ಳಿ ತಾಲೂಕು ಉತ್ತರ ವಲಯ ಉಪನೋಂದಣಿ ಅಧಿಕಾರಿಗಳ ಹದ್ದಿಯು ಪೈಕಿ ಹೆಬಸೂರ ಗ್ರಾಮದಲ್ಲಿರುವ ಸರಕಾರಿ ಯರಿ ಖುಷ್ಕಿ ಜಮೀನು ಇದರ ಸರ್ವೆ ನಂ.98 ಬ್ಲಾಕ್, ಒಟ್ಟು ಕ್ಷೇತ್ರ 04-ಎಕರೆ 28-ಗುಂಟೆ, ಪೋಟ ಖರಾಬ 03-ಗುಂಟೆ ವಜಾ ಹೋಗಲಾಗಿ ಉಳಿದ ಕ್ಷೇತ್ರ 04-ಎಕರೆ 25-ಗುಂಟೆ ಆಕಾರ ರೂ.12.77 ಪೈಸೆ ನೇದ್ದರ ಪೈಕಿ ಪೂರ್ವ ಭಾಗದ ಕ್ಷೇತ್ರ **02-ಎಕರೆ 12-ಗುಂಟೆ 05-ಆಣೆ ಮಾತ್ರ ಇದರ ಚಕುಂದಿ.**

ಪೂರ್ವಕ್ಕೆ : ಶಿವಾನಂದ ಅಂಗಡಿ ಇವರ ಜಮೀನು.
 ಪಶ್ಚಿಮಕ್ಕೆ : ಇದೇ ಸರ್ವೆ ನಂಬರ ಪೈಕಿ ಉಳಿದ ಜಮೀನು.
 ಉತ್ತರಕ್ಕೆ : ಭೀಮಪ್ಪ ನಾಗರಳ್ಳಿ ಇವರ ಜಮೀನು.
 ದಕ್ಷಿಣಕ್ಕೆ : ಹಳ್ಳ

**Prl. Senior Civil Judge,
and JMFC, Hubballi.**