

**IN THE COURT OF II ADDL. SENIOR CIVIL JUDGE & JMFC.,
HUBBALLI.**

O.S.No.484/2023

Plaintiffs : 1. Smt. Saraswati W/o Arjun Devaji
since deceased by her LR's
and others

// V/s //

Defendants : 1. Sri. Mallappa S/o Hanamanthappa
Pawar of Dharwad and others

I S S U E S

1. Whether the plaintiffs proves that they and defendants No.1 to 7 are the Hindu undivided joint family members and the suit schedule properties are ancestral and joint family properties?
2. Whether the plaintiffs proves that the defendant No.1 playing fraud and mischief and creating documents behind the back of the plaintiffs to cheat their share?
3. Whether the plaintiffs proves that, the registered agreement of sale dt:07-02-2012 executed by the defendant No.1 in favour of defendant No.8 with respect to the portion of the suit schedule-I property is illegal and null and void and not binding upon the legitimate share of the plaintiffs?

4. *Whether the plaintiffs proves that the decree passed in O.S.No.4/2020 by the Hon'ble I Addl. Senior Civil Judge, Hubballi based on the registered agreement of sale is not binding on the share of the plaintiff?*
5. *Whether the defendant No.8 proves that the suit is barred by law of limitation?*
6. *Whether the defendant No.8 proves that suit is hit by the principles of resjudicata?*
7. *Whether the plaintiffs are entitled for the relief of declaration in respect of registered sale agreement and decree of the O.S.No.4/2020?*
8. *Whether the plaintiffs are entitled for partition and separate possession of their 1/3rd share in the suit schedule properties by metes and bounds?*
9. *What order or decree?*

Date:22-07-2024
Place: Hubballi.

Sd/-
(Smt. Sarvamangala K.M.,)
II Addl. Senior Civil Judge &
JMFC., Hubballi.