

**IN THE COURT OF THE CIVIL JUDGE AND J.M.F.C.,
NAVALGUND**

Original Suit No.112/2020

Plaintiffs : Smt. Lalita W/o. Basuraj Dundashi
and others.

- Versus -

Defendants : Smt. Sumangala W/o. Suresh Chavadi
and another.

ISSUES

1. Whether the plaintiffs prove that the defendant no.1 by misusing the confidence of plaintiffs and by fraudulent means created a right relinquishment deed in her favour on 30.01.2020 with respect to suit properties bearing Survey No.585/3A+3B measuring 2 acre 5 guntas and Survey No.586/3A+3B measuring 2 acre 4 guntas as alleged in para no.6 of the plaint?
2. Whether the plaintiffs prove that the relinquishment deed dated 30.01.2020 is illegal, null and void as such it is not binding on plaintiffs?
3. Whether the relief claimed in para no.13(c) of the plaint for grant of decree of “perpetual injunction restraining defendants or anybody acting on their behalf not to alienate or create encumbrance or change records and disturbing joint possession of plaintiffs” is liable to be struck off from the plaint as per Order VI Rule 16(c) of CPC for being impermissible under law?
4. Whether defendant no.1 proves that plaintiffs and defendant no.2 had fraudulently obtained her signature on sale deed dated 30.01.2020 relating to land bearing Survey No.184/2B under the guise of executing relinquishment deed in her favour with respect to suit properties?
5. Whether the valuation made in the plaint and Court fee paid are proper?
6. Whether the plaintiffs are entitled for the relief as sought in the plaint?

7. What order or decree?

Note : Issues No.3 and 5 are ordered to be heard as preliminary issues.

Date: 18.10.2021
Place: Navalgund

(Santhosh M.S.)
Civil Judge and J.M.F.C.,
Navalgund.