

**IN THE COURT OF CIVIL JUDGE AND JMFC AT
HOLENARASIPURA**

Present: **Sri.R.MAHESHA** B.A.L., LL.B.,
Civil Judge and J.M.F.C,
Holenarasipura.

Dated this the 16th day of November, 2017

ORIGINAL SUIT No.59/2017

Plaintiff : M.Sudhamani & others

V/S

Defendants : H.C.Rangamma & others

ISSUES

1. Whether the plaintiffs prove that the defendants are agreed to sell the suit property for sale consideration of Rupees.1,80,000/- and executed the agreement of sale in favour of deceased H.G.Shivaswamy who is the husband of 1st plaintiff and father of plaintiff No.2 to 4 on 10/4/2006 and they have received an amount of Rupees.1,00,000/- as advance?
2. Whether the plaintiffs prove that the after the death of her husband the defendants are agreed to sell the suit property for excess sale consideration of Rupees.1,00,000/- on cancellation of agreement of sale dated 10/4/2006?
3. Whether the plaintiffs prove that the defendant No.1 executed the agreement of sale in favour of deceased H.G.Shivaswamy who is the husband of 1st plaintiff and father of plaintiff No.2 to 4 by receiving advance amount of Rs.66,000/- out of total amount of Rs.96,000/- in respect of 0.08 guntas out of 15 guntas on 29/1/2008?

4. Whether the plaintiffs prove that the defendant No.1 executed the agreement of sale in favour of deceased H.G.Shivaswamy who is the husband of 1st plaintiff and father of plaintiff No.2 to 4 by receiving balance consideration amount of Rs.30,000/- through cheque on 05/5/2008?
5. Whether the plaintiffs prove that the defendant No.2 and 3 executed the agreement of sale in favour of deceased H.G.Shivaswamy who is the husband of 1st plaintiff and father of plaintiff No.2 to 4 by receiving advance amount of Rs.59,000/- out of total amount of Rs.84,000/- in respect of 0.07 guntas out of 15 guntas on 29/1/2008?
6. Whether the plaintiffs prove that the defendants executed the agreement of sale in favour of deceased H.G.Shivaswamy who is the husband of 1st plaintiff and father of plaintiff No.2 to 4 by receiving balance consideration amount of Rs.25,000/- on 05/5/2008?
7. Whether the plaintiffs prove that, they were/is ready and willing to perform their part of contract?
8. Whether the plaintiffs are entitled for the relief as sought for?
9. What order or decree?

(R. MAHESHA.)
Civil Judge, Holenarasipura.

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