

IN THE COURT OF ADDL. SENIOR CIVIL JUDGE AND
JMFC, RANEBENNUR

OS No. 145 / 2024

Plaintiffs : 1. Smt. Vijaya and others.

V/S

Defendants : 1. Dr. Shivaprakash Tandi and others.

I S S U E S

1. Whether the plaintiffs prove that plaint schedule properties are ancestral, co-parcenary and joint family properties of themselves and defendant Nos.1 and 2 ?
2. Whether the defendant Nos.1 and 2 prove that, after the death of grandfather of the plaintiffs and defendant Nos.1 and 2 by name Shivabhat, his wife by name Mainabai become absolute owner of the suit schedule properties and properties left by her husband ?
3. Whether the defendant No.1 and 2 prove that, deceased Mainabai has taken the father of the plaintiffs and defendant Nos.1 and 2 by name Dattatreya as her adoptive son as per Registered Adoption Deed dtd: 05-01-1946 ?
4. Whether the defendant Nos.1 and 2 prove that, the deceased Mainabai when she was in sound disposing state of mind has executed her last Will on 15-06-1976 by bequeathing immovable property bearing Sy.No.90/1A and also other properties in their favour ?
5. Whether the defendant Nos.1 and 2 prove that, the suit schedule item Nos.1 to 4 are separate properties of their father Dattatreya Shivabhat Tandi ?
6. Whether the defendant Nos.1 and 2 prove that, their father has transferred the item Nos.1 to 4 of the suit schedule properties in their favour by mutual

understanding and given vardi to the revenue authority ?

7. Whether the defendant Nos.1 and 2 prove that, the father of the plaintiffs and defendant Nos.1 and 2 by name Dattatreya when he was in sound disposing state of mind has executed his last Will by bequeathing item Nos.1 to 4 of the suit schedule properties in their favour ?
8. Whether the suit of the plaintiffs is hit by non joinder of necessary parties ?
9. Whether the suit is properly valued and court fee paid is sufficient ?
10. Whether the defendant Nos.1 and 2 prove that, the suit of the plaintiffs is hit by Order 7 Rule 3 of CPC ?
11. Whether the suit of the plaintiffs is maintainable without seeking the declaration that, the sale deeds executed by defendant nos.1 and 2 in respect of item Nos.5 and 6 of the suit schedule properties are not binding on their shares ?
12. Whether the plaintiffs are entitle for the relief of partition and separate possession of their respective shares in plaint schedule properties as prayed for ?
13. What order or decree ?

Date: 11-06-2025

Addl. Sr. C.J. & JMFC
Ranebennur.