

In the Court of the Senior Civil Judge & JMFC, Shiggaon
(At: Savanur).

O.S.No.169/2023

Plaintiffs: Neelavva W/o Prakash Hebbal.

- V/S -

Defendants: Mallappa S/o Tippanna Gojanur
and others.

ISSUES

1. Whether the plaintiff proves that the suit properties are ancestral and the joint family properties of himself and defendants?
2. Whether plaintiff proves that he is having 1/5th share in the suit properties?
3. Whether the defendant No.2 proves that suit of the plaintiff is not maintainable unless plaintiff seeks declaration of ancestral and joint title over the suit properties?
4. Whether defendant No.2 proves that suit of the plaintiff is hit by principal of law of estoppel in lieu of plaintiff had given up her share as per ME No.7023?
5. Whether defendant No.2 proves that the defendant No.4 is owner and possessor of VPC No.246 and 246/1 in view of family arrangement, consent of plaintiff?
6. Whether suit of plaintiff is bad for non inclusion of loan of Rs.8,00,000/- incurred by defendant No.2 from KVG Bank, Yalavigi?

7. Whether defendant No.2 proves that plaintiff is liable to be rejected as it is non disclosure of cause of action as per order 7 Rule 11 of CPC?
8. Whether court fee paid on plaint is proper and sufficient?
9. What order or decree?

Note:-Issue No.7 and 8 be treated as Preliminary Issue and ordered to be heard by the parties.

Date: 25-01-2025 .

(Sunil Shantappa Talawar)
Sr. Civil Judge and JMFC,
Shiggaon.
(At: Savanur).