

**IN THE COURT OF THE CIVIL JUDGE AND JUDICIAL  
MAGISTRATE FIRST CLASS, CHITTAPUR**

**:Present:**

**Sri. Santoshkumar Daivajna**

B.Com.,LL.B.(Spl).

Civil Judge & J. M. F. C., Chittapur

**O. S. No. 32/2018**

Dated on this the 30<sup>th</sup> day of October -2023

**Plaintiff** : Veerupakshappa S/o Rudragouda Malipatil

**V/s**

**Defendants:** The President Karnataka State Government  
Employee Association (Reg) Chittapur Unit and others

**I S S U E S**

1. Whether the plaintiff proves that, he is the owner of the suit schedule property and same is inherited by him by his ancestors?
2. Whether the plaintiff proves that, his father addicted to consuming alcohol, the defendant No.1 taking undue advantage of that, the defendant No.1 got possession of th suit property as tenant in year 1995?
3. Whether the plaintiff proves that, the defendant No1 given rent upto 2015-16 and there is a due of rent since 2016-17 of Rs.500/- per month?
4. Whether the plaintiff proves that, the defendant No.1 made the illegal construction over the suit schedule property without the consent of plaintiff?
5. Whether plaintiff proves that, the defendant No.1 got created a bogus deed called relinquish deed dated 31.03.1990?

6. Whether the defendant No.1 proves that, the defendant No.1 got executed Release deed (Relinquish Deed dated 31.03.1990) with the knowledge of the plaintiff and their family members without any interference ?

7. Whether the plaintiff is entitled for the reliefs as claimed?

8. What Order or Decree?

*(Issues framed and read over in the open court on this 30<sup>th</sup> day of October -2023)*

**Date: 30.10.2023**

( Sri.Santoshkumar Daivajna)  
**Civil Judge and JMFC**  
**Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 78/2016**

**Plaintiff :** Prahlad S/o Purshotam Rao

**V/s**

**Defendants:** Balaram Dongaru and others.

**I S S U E S**

1. Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the defendants are trying to put U shape drainage in the suit property?
3. Whether the plaintiff is entitled for the relief of injunction as sought for?
4. What Order or Decree?

**Date: 03.02.2021**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**  
**O.S. No. 31/2019**

**Plaintiff :** Veeramm W/o Veerayya Hiremath

**V/s**

**Defendants:** The Deputy commissioner Kalaburagi  
District & others.

**I S S U E S**

1. Whether the plaintiff proves that, she is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the defendants are trying to lay the road illegally in the suit property?
3. Whether the defendants prove that, in view of sec. 43 of CADA Act this court has no jurisdiction to entertain the present suit?
4. Whether the defendants further prove that, they have already late the road and handed over for public use, hence the suit is infectious?
5. Whether the plaintiff is entitled for the relief of injunction as sought for?
6. What Order or Decree?

**Note:** The issue No.3 is treated as preliminary issue.

**Date: 12.01.2021**

**Civil Judge Chittapur**

**O.S.No.63/2013**

**ADDITIONAL ISSUES**

1. Whether the defendants prove that, the KSFC is only concerned to the extent of mortgage made to it and in the event of non-payment of mortgage amount by the defendants it could have moved to the court of law for fore-closer of mortgage and to proceed for recovery of mortgage amount?
2. Whether the defendants further prove that, the plaintiff carried out the job work on commission basis on the existing plant, machinery and the buildings of defendant No.1 from 2006 till November-2009 and thereafter he quit the job work from unit?
3. Whether the defendants further prove that, the suit of plaintiff bad for non-joinder of necessary party?

**Civil Judge., Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**  
**O. S. No. 6/2018**

**Plaintiff :** Mahadevappa M Benki

**V/s**

**Defendants:** Sabanna S/o Sanna Sharanappa &  
others.

**I S S U E S**

1. Whether the plaintiff proves that, he is in lawful possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the defendants are trying to open window towards southern side of their house and also trying to flow their drain water in the open yard of the plaintiff illegally?
3. Whether the plaintiff is entitled for the relief of injunction as sought for?
4. What Order or Decree?

**Date: 17.11.2020**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 15/2019**

**Plaintiff :** Nagayya S/o Siddramayya Hiremath.

**V/s**

**Defendants:** The Deputy commissioner Kalaburagi  
District & others.

**I S S U E S**

1. Whether the plaintiff proves that, he is in lawful possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the defendants are trying to lay the road illegally in the suit property?
3. Whether the defendants prove that, in view of sec. 43 of CADA Act this court has no jurisdiction to entertain the present suit?
5. Whether the defendants further prove that, they have already late the road and handed over for public use, hence the suit is infectious?
6. Whether the plaintiff is entitled for the relief of injunction as sought for?
7. What Order or Decree?

**Note:** The issue No.3 is treated as preliminary issue.

**Date: 07.08.2020**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**  
**O.S. No. 11/2017**

**Plaintiff :** Mohd. Rafiq.

**V/s**

**Defendants:** Smt. Mahalingamma and others.

**I S S U E S**

1. Whether the plaintiff proves that, he is in lawful possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the defendant No.1 and 2 are threatening him to dispossess from the suit property?
3. Whether the defendants prove that, the plaintiff is failed to pay rent amount from September-2014 and he is in illegal possession of the suit property since from termination of lease?
5. Whether the plaintiff is entitle for the relief of injunction as sought for?
6. What Order or Decree?

**Date: 20.07.2020**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**  
**O.S. No. 8/2016**

**Plaintiff :** Rachayya S/o Revanayya Mathpati.

**V/s**

**Defendants:** Deputy Forest Conservation Officer,  
Court Road, Gulbrga and another.

**I S S U E S**

1. Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the defendants have tried to interfere in the suit property by digging mud in the 1<sup>st</sup> week of September-2015?
3. Whether the defendants prove that, the suit property belongs to them as per order dated 30-09-2004?
4. Whether the plaintiff is entitle for the relief of injunction as sought for without seeking the relief of declaration?
5. What Order or Decree?

**Date: 20.07.2020**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**  
**O.S. No. 42/2016**

**Plaintiff :** Sharanappa S/o Eranna Malkandi

**V/s**

**Defendant:** Basawaraj S/o Mahadevappa

**I S S U E S**

1. Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, he has equal right of easement over the suit common wall?
3. Whether the plaintiff further proves that, the defendant is trying to demolish the suit common wall and thereby encroaching in the suit property?
4. Whether the defendant proves that, the suit of the plaintiff is hit as per Order VII Rule 11 (d) and Sec. 11 of CPC?
5. Whether the defendant further proves that, the suit of the plaintiff is not maintainable without seeking the relief of declaration?
6. Whether the plaintiff is entitle for the relief of injunction as sought for?
7. What Order or Decree?

**Date: 09.07.2020**

**Civil Judge Chittapur**

**IN THE COURT OF THE PRL. CIVIL JUDGE, CHITTAPUR**

**O.S. No. 59/2017**

**Plaintiff :** Bhimanna S/o Sabanna Sugur.

**V/s**

**Defendant:** Mallappa S/o Sabanna Halli.

**ISSUES**

1. Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, alleged interference by the defendant in to the possession of the plaintiff over the suit property?
3. Whether the plaintiff is entitle for the relief as sought for?
4. Whether the defendant proves that, the plaintiff suppressed the facts about sale deed dated: 24-04-1995 in respect of suit Sy.No.92/E measuring 1 acre 07 guntas and Sy.No.93/A measuring 38 guntas?
5. What Order or Decree?

**Date: 03.06.2020**

**Prl. Civil Judge Chittapur**

**IN THE COURT OF THE PRL. CIVIL JUDGE, CHITTAPUR**

**O.S. No. 20/2015**

**Plaintiff :** Annarao S/O Saibanna Varik

**V/s**

**Defendants:** Mallanna S/o Saibanna Varik  
and others.

**I S S U E S**

1. Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, alleged interference by the defendants in to the possession of the plaintiff over the suit property?
3. Whether the plaintiff is entitle for the relief as sought for?
4. What Order or Decree?

**Date: 17.2.2020**

**Prl. Civil Judge Chittapur**

**IN THE COURT OF THE PRL. CIVIL JUDGE, CHITTAPUR**

**O.S. No. 30/2017**

**Plaintiff :** Tulsiram S/o Sambhaji Bhagad

**V/s**

**Defendant:** Town Municipal Council Wadi.

**I S S U E S**

1. Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiff further proves that, the act of defendant amounts to illegal interference in to the peaceful possession of the plaintiff over the suit property?
3. Whether the plaintiff is entitle for the relief as sought for?
4. Whether the plaintiff proves that suit of the plaintiff in the present form is maintainable?
5. Whether the defendant proves that, the plaintiff has made encroachment and as per Sec.187 of Karnataka Municipalities Act has authority to demolish the same made by the plaintiff?
6. What Order or Decree?

**Date: 30.01.2020**

**Prl. Civil Judge Chittapur**



**IN THE COURT OF THE PRL. CIVIL JUDGE, CHITTAPUR**

**O.S. No. 87/2016**

**Plaintiffs :** Gouramma W/o Late Kantappa  
and others

**V/s**

**Defendant:** Amrutappa S/o Devendrappa Sajjankar.

**I S S U E S**

1. Whether the plaintiffs prove that, they are in possession and enjoyment of the suit property as on the date of suit?
2. Whether the plaintiffs further prove that, the defendant by illegally mutating his name in the ROR of R.S.No.30/1 to the extent of 2 acres 30 guntas is trying to interfere in to the possession of the plaintiffs over the suit land?
3. Whether the plaintiffs are entitle for the relief as sought for?
4. What Order or Decree?

**Date: 28.02.2020**

**Prl. Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 98/2013**

**Plaintiff :** Md. Mashak Sab S/o Khadar Sab,  
Since deceased by Lrs.

**V/s**

**Defendants:** Babumiyya S/o Khadarsab and others.

**I S S U E S**

1. Whether the plaintiff proves that, as per family settlement he became the owner and possessor of the suit property?
2. Whether the plaintiff proves that, the defendants are trying to dispossess the suit property?
3. Whether the plaintiff is entitle for the relief as sought for?
4. Whether the defendant No.2 to 5 prove that the plaintiff has not approached to this court with clean hands and has suppressed the material facts hence not entitled for the relief sought for?
5. What Order or Decree?

**Date: 17.12.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 67/2015**

**Plaintiff :** Smt. Ambubai W/o Shivaji.

**V/s**

**Defendant:** M/s. Orient Cement Limited.

**I S S U E S**

1. *Whether the plaintiff proves that, she is in possession and enjoyment of the suit properties as on the date of suit?*
2. *Whether the plaintiff further proves that the defendant had tried to put construction in the suit property by illegal manner, thereby causing interference into the peaceful possession and enjoyment of the suit property by the plaintiff?*
3. *Whether the defendant proves that, as per the revenue records, the suit property is the Government land?*
4. *Whether the plaintiff is entitle for the relief as sought for?*
5. *What Order or Decree?*

**Date: 06.11.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 89/2015**

**Plaintiff :** Gouramma W/o Shankrappa Saraff

**V/s**

**Defendant:** Executive Engineer,  
PWD Division Office Sedam  
and others.

**ISSUES**

1. *Whether the plaintiff proves that, she is in possession and enjoyment of the suit properties as on the date of suit?*
2. *Whether the plaintiff further proves that the defendants have dismantled the boundary wall of the suit lands to lay the road and thereby causing interference into the peaceful possession and enjoyment of the suit property by the plaintiff?*
3. *Whether the defendants prove that, this court has no jurisdiction to entertain the present suit in view of Sec.69 of Karnataka Highway Act?*
4. *Whether the plaintiff is entitled for the relief as sought for?*
5. *What Order or Decree?*

**Date: 28.08.2019**

**Civil Judge Chittapur**



**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 43/2016**

**Plaintiff :** Gobrya S/o Bali

**V/s**

**Defendant:** Harishchandra S/o Limbya.

**I S S U E S**

1. *Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?*
2. *Whether the plaintiff further proves that the defendant is interfering to remove the wall, which is of 100 years old and thereby causing interference into the peaceful possession and enjoyment of the suit property by the plaintiff?*
3. *Whether the defendant proves that, this court has no jurisdiction to entertain the present suit in view of remedy provided under Land Revenue Act ?*
4. *Whether the plaintiff is entitle for the relief as sought for?*
5. *What Order or Decree?*

**Date: 19.08.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S. No. 3/2016**

**Plaintiff :** Sirajuddin S/o Shaik Mohammed

**V/s**

**Defendant:** The chief Officer T.M.C. Chittapur

**I S S U E S**

1. *Whether the plaintiff proves that, he is in possession and enjoyment of the suit property (Khatta) as on the date of suit?*
2. *Whether the plaintiff further proves that the defendant is interfering in the peaceful possession and enjoyment of the plaintiff in and over the suit property?*
3. *Whether the defendant proves that, the suit of the plaintiff is not maintainable without seeking the relief of declaration of title?*
4. *Whether the defendant further proves that, the suit of the plaintiff is not maintainable for non compliance of Sec. 284 of Karnataka Municipalities Act 1964?*
5. *Whether the plaintiff is entitle for the relief as sought for?*
6. *What Order or Decree?*

**Date: 11.06.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O.S.No.73/2015**

1) Mallappa S/o Shankrayya and others.

...Plaintiffs

**V/s**

Mallamma W/o Balayya Segoor

...Defendant

**ISSUES**

1. *Whether the plaintiffs prove that, they are in possession and enjoyment of the suit property as on the date of suit?*
2. *Whether the plaintiffs further proves that the defendant is interfering in the peaceful possession and enjoyment of the plaintiffs in and over the suit property?*
3. *Whether the defendant proves that, the suit of the plaintiff is not maintainable without seeking the relief of declaration of title?*
4. *Whether the defendant further proves that, the suit of the plaintiff is bad for non-joinder of parties as pleaded in para 8 of the written statement?*
5. *Whether the plaintiffs are entitle for the relief as sought for?*
6. *What Order or Decree?*

**Date: 10.06.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No. 43/2008**

1) Ram Mohan S/o Kishan Rao and others.  
...Plaintiffs

**V/s**

1) Laxman S/o Kishan Rao and another  
...Defendants

**I S S U E S**

1. *Whether the plaintiffs prove that, there are in possession and enjoyment of the suit property since the date of oral partition?*
2. *Whether the plaintiffs further proves that the defendants are interfering in the peaceful possession and enjoyment of the plaintiffs in and over the suit property ?*
3. *Whether the plaintiffs are entitle for the relief as sought for?*
4. *What Order or Decree?*

**Date : 06.06.2019**

**Civil Judge Chittapur**

O.S.No.74/2014

The advocate for defendant filed I.A.VI U/O 14 Rule 5 of CPC.

Heard both side.

In the affidavit accompanying application it is stated that, though I have taken specific contention of ill legal interference by the plaintiff over the property of defendant by way of counter claim but there is no issue on this counter claim. Hence prays to frame the issue on counter claim.

On perusal of the pleadings and document on record this court of the opinion that issues in respect of counter claim of the defendant required to be framed. Hence application is allowed and additional issues are framed.

Chittapur Civil Judge,

**ADDITIONAL ISSUES**

1. *Whether the defendant No. proves that he is in possession and enjoyment of suit property measuring north-south 41.0 feet towards the western side of defendant house bearing No. 5-4-67?*
2. *Whether further the defendant No.1 proves that obstacles by the plaintiff in the construction of defendant as pleaded in para No. 22 of the counter claim?*
3. *Whether the defendant No.1 is entitle for the perpetual injunction against the plaintiff?*
4. *What Order or Decree regarding counter claim of defendant No.1?*

**Date :22.04.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No.29/2018**

Vijayraj S/o Vardhaj Rathod

**...Plaintiff**

**V/s**

Vishnu S/o Late Rambhav & ors.

**...Defendant**

**ISSUES**

1. *Whether the plaintiff proves that, existence of suit common lane between the plaintiff and defendants measuring 6 feet ?*
2. *Whether the plaintiff further proves that the defendants in the absence of plaintiff got constructed the wall of 5 feet high in north – south direction in the suit common lane and left only 1 feet lane towards the plaintiffs property ?*
3. *Whether the defendants No.1 to 4 prove that plaintiff has no local standi to file the present suit as he already executed registered sale deed in favour of third party ?*
4. *Whether the defendant No.1 to 4 further prove that suit for mere perpetual and mandatory injunction without asking declaration is not maintainable ?*
5. *Whether the plaintiff is entitle for the perpetual and mandatory injunction as sought for?*
6. *What Order or Decree?*

**Date :20.04.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No.102/2015**

Narayan S/o Chandram Badiger

**...Plaintiff**

**V/s**

Orient Cement Division orient paper and industries Ltd, through its Vice President, Chittapur

**...Defendant**

**I S S U E S**

1. *Whether the plaintiff proves that, he is in possession and enjoyment of the suit property as on the date of suit?*
2. *Whether the plaintiff further proves the alleged I interference by the defendant as pleaded in para No.4 of the plaint?*
3. *Whether the plaintiff is entitle for the perpetual injunction as sought for?*
4. *What Order or Decree?*

**Date :20.04.2019**

**Civil Judge Chittapur**



**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No.80/2016**

Syed Ali S/o Khadirsab Attar

**...Plaintiff**

**V/s**

Tippanna S/o Devindrappa Medar

**...Defendant**

**I S S U E S**

1. *Whether the plaintiff proves that, he in exclusive possession and enjoyment of the suit property as on the date of suit?*
2. *Whether the plaintiff further proves the alleged interference by the defendant as pleaded in para No.4 of the plaint?*
3. *Whether the defendants prove that, the suit properties are the undivided Hindu Joint family properties of the plaintiffs and defendants?*
4. *Whether the plaintiff is entitle for the relief as sought for?*
5. *What Order or Decree?*

**Date :20.03.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No. 2/2016**

**Timmayya S/o Hanamayya Waddar and  
another**

**...Plaintiffs**

**V/s**

**Rajappa S/o Hanamayya Waddar and  
other**

**...Defendants**

**I S S U E S**

1. *Whether the plaintiffs prove that, they are in exclusive possession and enjoyment of the suit properties as on the date of suit?*
2. *Whether the plaintiffs further prove the alleged interference as pleaded in the plaint?*
3. *Whether the defendants prove that, the suit properties are the undivided Hindu Joint family properties of the plaintiffs and defendants?*
4. *Whether the defendants prove that, the plaintiff is not entitle for the relief of injunction without seeking relief of declaration of title?*
5. *Whether the plaintiff is entitle for the relief as sought for?*

6. *What Order or Decree?*

**Date : 11.03.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No. 24/2015**

**Meraj Begum W/o Abdul Kareem**

**...Plaintiff**

**V/s**

**Naseema anu D/o Abdul Kareem**

**...Defendant**

**I S S U E S**

1. *Whether the plaintiff proves that, the defendant high handedly with an intention to take up the new construction trying to dismantle the suit common wall?*
2. *Whether the plaintiff further proves that if the dismantles the common wall the house of the plaintiff will come down?*
3. *Whether the plaintiff is entitle for the relief as sought for?*
4. *What Order or Decree?*

**Date : 11.03.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No. 27/2016**

**Kalyan Bhat S/o Venkanna Bhat Purohit**

**...Plaintiff**

**V/s**

**Sharanagouda S/o Amruthrao Police Patil  
and another**

**...Defendants**

**ISSUES**

1. *Whether the plaintiff proves that, he is in possession and enjoyment of suit property as on the date of suit?*
2. *Whether the plaintiff further proves the alleged interference by the defendants as pleaded in the plaint?*
3. *Whether the plaintiff is entitle for the relief as sought for?*
4. *What Order or Decree?*

**Date : 07.03.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No. 71/2015**

**Ramchandra and others**

**...Plaintiffs**

**V/s**

**Valu and others**

**...Defendants**

**I S S U E S**

1. *Whether the plaintiffs prove that, they are in possession and enjoyment of suit property as on the date of suit?*
2. *Whether the plaintiffs further prove the interference by the defendants as pleaded in the plaint?*
3. *Whether the defendants No. 1, to 3 and 6 prove that, suit valuation made by the plaintiffs is in correct and this court has no pecuniary jurisdiction ?*
4. *Whether the defendants No. 1, to 3 and 6 prove that, the suit is not maintainable without seeking the relief of declaration?*
5. *Whether the plaintiff is entitled for the relief as sought for?*

6. *What Order or Decree?*

**Date : 23.02.2019**

**Civil Judge Chittapur**

**IN THE COURT OF THE CIVIL JUDGE, CHITTAPUR**

**O. S. No. 52/2015**

**Subhash S/ o Rampyare Verma**

**...Plaintiff**

**V/s**

**The CEO TMC Wadi**

**...Defendant**

**I S S U E S**

1. *Whether the plaintiff proves that, he is in possession and enjoyment of suit property as on the date of suit?*
2. *Whether the plaintiff further proves the measurement of the suit property and construction of house as per permission as pleaded in the plaint?*
3. *Whether the defendant proves that, defendant has right to demolish 5 feet building on the northern side of the suit property U/sec. 181 of KM Act ?*
4. *Whether the plaintiff is entitle for the relief as sought for?*
5. *What Order or Decree?*

**Date : 22.02.2019**

**Civil Judge Chittapur**