

**IN THE COURT OF THE I ADDL.DISTRICT &
SESSIONS AND COMMERCIAL JUDGE,
KODAGU-MADIKERI**

Com.O.S.No.20/2025

Plaintiff/s : Karnataka Bank Ltd.,
Rep. By its Manager
Rajesh Bichali.
-V/s-
Defendant/s : Sri.Ranjan and another.

ISSUES

1. Whether the Plaintiff proves that late Sri K.G. Suresh had availed a term loan of Rs. 5,30,000/- on 06.07.2016 pursuant to sanction dated 05.07.2016 (Ref. No. CMRS/R700/9378/2016-17) for purchase of Kubota Tractor 24 HP and executed the term loan agreement and hypothecation agreement dated 22.09.2016 in favour of the Plaintiff Bank?
2. Whether the Plaintiff proves that late Sri K.G. Suresh and Defendant No.2 executed valid loan, guarantee and revival/acknowledgment letters dated 15.11.2018, 29.09.2020 and 29.04.2023, thereby acknowledging the subsisting liability and extending the period of limitation?
3. Whether the Plaintiff proves that as on the date of suit a sum of Rs.12,06,689/- (comprising Rs. 9,11,949.65 towards principal outstanding, Rs. 2,88,740/- towards interest from 07.07.2022 to 23.06.2024 @ 15.45% p.a., Rs. 1,000/- towards typing/photocopy charges and Rs. 5,000/- towards costs) is due and

payable by the Defendants with current and future interest @ 15.45% per annum with monthly rests?

4. Whether Defendant No.1 proves that he has not inherited any estate or assets of late Sri K.G. Suresh, who died on 03.05.2023, and therefore is not liable to discharge the suit claim?

5. Whether the Defendants prove that the suit filed on 24.06.2024 is barred by limitation, despite the alleged acknowledgments dated 15.11.2018, 29.09.2020 and 29.04.2023?

6. Whether the suit is bad for non-joinder of necessary parties, namely the wife and daughter of late Sri K.G. Suresh, as contended in the Written Statement?

7. Whether the Plaintiff is entitled to attachment and sale of Kubota Tractor 24 HP bearing Registration Nos. KA-12-T-7369 (tractor) and KA-12-T-7370 (trailer) for realization of the suit claim?

8. What order or decree?

Dated, this the 19th day of February, 2026.

Sd/xxx

(SURENDRA G.)

I Addl.District & Sessions and
Commercial Judge,
Kodagu-Madikeri.