

KAKP020008362021



**IN THE COURT OF SENIOR CIVIL JUDGE AND CJM.,
KOPPAL**

Dated: This the 1st Day of July 2026

Present: Sri. Malakari .R. Wadeyar
B.A., L.L.B. (Spl).
Senior Civil Judge & CJM.,
Koppal.

O.S. No.128/2021

Plaintiff:

- 1) Smt. Sairabanu W/o Khasim Allibaba,
Age: 46 Years, Occ: Business,
R/o Munirabad (RS), Huligi,
Tq. & Dist: Koppal.

(Rep. By Sri. S.V.N. Adv.,)

-V/s-

Defendants:

- 1) Sri. Ajemsab S/o Late Allabhakshi,
Age: 70 years, Occ: Retrd. KEB Empl,
R/o Hosapete, Dist: Vijayanagar.
- 2) Smt. Arpajabegum W/o B.J. Mehaboob,
Age: 40 years, Occ: Household,
R/o Huligi, Tq. & Dist: Koppal.
- 3) Sri. Mohammad Javeed S/o B.J. Mehaboob,
Age: 26 years, Occ: Private Employee,
R/o Huligi, Tq. & Dist: Koppal.



- 4) Smt. Bibi W/o B.J. Noushad Ali,
Age: 38 years, Occ: Household,
R/o Huligi, Tq. & Dist: Koppal.
- 5) Sri. Dadapeer S/o B.J. Noushad Ali,
Age: 20 years, Occ: Business,
R/o Huligi, Tq. & Dist: Koppal.

(D-1 By Sri. A.B.R. Adv.)

(D-2 to 5 By Sri. R.B.P. Adv.,)

Date of institution of the suit : 08-12-2021

Nature of the suit : Suit for Partition and
Separate Possession.

Date of commencement of
recording of the evidence. : 30-01-2024

Date on which the judgment
was pronounced. : 01-07-2026

Total duration. : Years Months Days
04 06 24

(Malakari. R. Wadeyar)
Sr. Civil Judge and CJM.,
Koppal.



JUDGMENT

The plaintiff has filed this suit against defendants for the relief of partition and separate possession.

2. As per case of the plaintiff, they are belongs to Muslim Community and governed by Mohammedan Law. The original propositious by name Jabbarsab is died leaving behind 4 children by name 1) Deceased Suraiyaa, 2) deceased B.J. Mehaboob, 3) deceased B.J. Noushad Ali, 4) Sairabhanu/plaintiff.

3. Defendant No.1 is husband of deceased Suriayaa, defendant No.2 and 3 are wife and son of deceased B.J. Mehaboob, defendant No.4 and 5 are wife and son of deceased B.J. Noushad Ali.

4. Suit lands Sy No.233/2 measuring 1 acre and Sy No.233/6 measuring 19 guntas of Munirabad in Koppal Taluka are the properties of Jabbarsab, said Jabbarsab is died intestate, hence plaintiff and defendants are tenants-



in-common over the suit schedule properties. Now defendants are disturbing for her joint possession over the suit properties and also denying to allot her separate share, hence she has issued notice on 05-11-2018 demanding to allot her 1/6th share in separately, but defendants have given vague reply notice on 13-11-2018 denying to allot legitimate share, then on 15-11-2021 she has approached and requested to allot her 1/6th share in the suit schedule properties, but defendants have denying to allot her legitimate share.

5. Further defendant No.2 to 5 have illegally mutated their names to the suit properties without her knowledge and consent and trying to alienate the suit properties with intention to deprive her share in the suit properties, hence cause of action arose to file this suit on 15-11-2021, this court has jurisdiction to try this suit, necessary court fee is paid acting U/Sec. 35(2) KCF and SV Act, hence prays to decree the suit for the relief of partition and separate



possession and allot her 1/6th legitimate share in the suit schedule properties by metes and bonds.

6. On service of summons defendant No.1 has appeared through Sri. ABR Advocate and filed written statement supporting case of the plaintiff with prayer to decree the suit and allot her 1/6th share in the suit schedule properties.

7. Further on service of summons, defendant No.2 to 5 have approached through Sri. RBP advocate, defendant No.5 has filed his written statement denying case of the plaintiff. Wherein taken contention that, Jabbarsab is died on 26-08-1993, husband of defendant No.2 and father of defendant No.3 by name B.J. Mehaboobsab is died on 11.07.2004, husband of defendant No.4 and father of defendant No.5 by name B.J. Noushad Ali is died on 28.10.1995.



8. They have not denied the relationship in between the plaintiff and defendants, but taken contention that, they were tenants-in-common over the plot No.1500 of Huligi Village and plot No.1621 of Hosahalli Village in Koppal Taluka, already oral partition is taken place in between the sons and daughters of Jabbarsab in the year 2003, in the said partition plot No.1500 of Huligi Village and plot No.1621 of Hosahalli Village are fallen to share of the plaintiff, she has sold out said plots in favour of her daughter by name Shama in the year 2009-10 through registered sale deed, very suit is filed after gap of 8 years of the partition, hence her suit is barred by law of limitation.

9. Further Sy No.233/2 is purchased by defendant No.5 through registered sale deed bearing No.1159 dated 21-03-1991, land Sy No.233/6 is allotted by Government in favour of fathers of defendant No.3 and 5 by name B.J. Mohaboobsab and B.J. Noushad Ali, hence question of interference by the plaintiff does not arise, with mistake of



facts plaintiff has issued legal notice on 05-11-2018 and suitable reply is given to the said notice, there is no cause of action to file this suit, very suit of the plaintiff is not maintainable, accordingly prays to dismiss the suit. Defendant No.2 to 4 have filed a memo adopting the written statement filed by defendant No.5.

10. After hearing the argument, efforts are made to settle the dispute byway of compromise, but parties have not arrived for compromise, hence issues are framed as follows;

ISSUES

- 1.** Whether the plaintiff proves that, the plaintiff and defendants are tenants in common and they have jointly succeeded to the suit schedule properties?
- 2.** Whether the defendants No.5 proves that, oral partition have been effected in the year 2003 in between the sons and daughters of Khasim Ali and plot No.1500 and 1621 of Hosahalli Grama Panchayath have been allotted to the share of plaintiff as contended in the written statement para No.3?



3. Whether the defendant No.5 proves that, suit schedule 'A' property purchased by his grandfather under a registered sale deed dated 21-03-1991?

4. Whether the defendant No.5 proves that, suit schedule 'B' property allotted to his father and also father of defendant No.3?

5. Whether the suit is not maintainable for non inclusion of other family properties?

6. Whether the suit is barred by law of limitation?

7. Whether the plaintiff is entitled to the relief as sought for?

8. What order or decree?

11. In order to prove her case, plaintiff has deposed her evidence as per PW-1 and got marked 33 documents as per Ex.P-1 to 33 and closed her evidence. On the other hand, defendant No.5 has deposed his evidence as per DW-1 and also examined 4 witnesses as per DW-2 to 5 and got marked 9 documents as per Ex.D-1 to 9 and closed their evidence.



12. Heard the arguments submitted by counsel for plaintiff and defendants and also gone through the evidence available on record, then my findings to the above issues are as follows;

ISSUES

Issue No.1	: In the Affirmative,
Issue No.2	: In the Negative,
Issue No.3	: In the Negative,
Issue No.4	: In the Negative,
Issue No.5	: In the Negative,
Issue No.6	: In the Negative,
Issue No.7	: In the Affirmative,
Issue No.8	: As per the final order for the following;

:REASONS:

13. Issue No.1:- As per case of the plaintiff, their father Jabbarsab is died on 26-08-1993 leaving behind schedule properties without making any family arrangements with regard to his properties. Plaintiff and defendants are tenants-in-common over the suit properties byway of succession. Now defendants are disturbing for joint



possession over the suit properties and also denying to allot her separate share, hence she has issued notice on 05-11-2018 demanding to allot her 1/6th share in separately, but defendants have given vague reply notice on 13-11-2018 denying to allot her legitimate share, then on 15-11-2021 she has approached and requested to allot her 1/6th share in the suit schedule properties, but defendants have denied to allot her legitimate share. Hence cause of action arose to file this suit, so that, prays to decree the suit and allot her 1/6th legitimate share.

14. Defendant No.1 to 5 have appeared through their advocates and filed their written statements. Wherein defendant No.1 has been supporting case of the plaintiff and requested to allot her 1/6th share. Defendant No.2 to 5 are denying case of the plaintiff with regard to schedule properties alleging that, they were tenants-in-common over the plot No.1500 of Huligi Village and 1621 of Hosahalli Village in Koppal Taluka, already oral partition is taken



place in between the sons and daughters of Jabbarsab in the year 2003, in the said partition plot No.1500 Huligi Village and 1621 of Hosahalli Village are fallen to share of the plaintiff, she has sold out said plots in favour of her daughter by name Shama in the year 2009-10 through registered sale deed, very suit is filed after gap of 8 years of the partition, hence her suit is barred by law of limitation.

15. Further Sy No.233/2 is purchased by defendant No.5 through registered sale deed bearing No.1159 dated 21-03-1991, land Sy No.233/6 is allotted by Government in favour of fathers of defendant No.3 and 5 by name B.J. Mohaboobsab and B.J. Noushad Ali, hence question of interference by the plaintiff does not arise, with mistake of facts, plaintiff has issued legal notice on 05-11-2018 and suitable reply is given by the defendants, there is no cause of action to file this suit, very suit of the plaintiff is not maintainable, accordingly prays to dismiss the suit.



16. To prove her case, plaintiff has deposed her evidence as per PW-1 byway of reiterating the facts narrated in her pleadings, hence in order to avoid the repetition of facts and evidence, contents of the evidence affidavit are not reiterated here. In cross-examination PW-1 admitted that, herself and her husband were staying in her parental house, her husband was working at her father for an amount of Rs.200/- to 400/- per day, except that salary, they had no separate income, further they were residing in front of house of their father and their father had been paying the rent, but it is admitted that, house No.855 is purchased in her name on 16-10-1995 at Huligi Village for an amount of Rs.15,000/-, further it is admitted that, house No.1621 is purchased in Hosahalli Village, but it is denied that, both the properties are purchased by her father in her name, further it is denied that, already partition is took place and she has no share in the suit properties.



17. Further it is denied that, Sy No.233/6 measuring 19 guntas is granted by the Government of Karnataka in the name of father of defendant No.3, further it is denied that, Sy No.233/2 is fallen to share of fathers of defendant No.3 and 5.

18. To prove her case, she has got marked 33 documents. Wherein Ex.P-1 is the record of right pertains to suit land Sy No.233/2 measuring 1 acre of Munirabad in Koppal Taluka for the year 2021-22, which is jointly standing in the names of plaintiff, defendant No.2, 3 and defendant No.5. Ex.P-2 is the record of right pertains to suit land Sy No.233/6 measuring 19 guntas of Munirabad in Koppal Taluka for the year 2021-22, which is jointly standing in the names of fathers of defendant No.3 and 5.

19. Ex.P-3 is the legal notice dated 05-11-2018 issued by plaintiff to allot her legitimate share in the suit schedule properties. Ex.P-4 is the reply notice 13-11-2018. Ex.P-5



are the postal receipts. Ex.P-6 to 10 are the postal acknowledgments. Ex.P-11 to 30 are the record of rights pertains to suit lands Sy No.233/2 and 233/6. Ex.P-31 to 33 are the mutation entries pertains to suit lands.

20. On the other hand, to prove their defense, defendant No.5 has deposed his evidence as per DW-1 byway of reiterating the facts narrated in his written statement, hence in order to avoid the repetition of facts and evidence, contents of the evidence affidavit are not reiterated here. In cross-examination DW-1 admits that, Sy No.233/2 measuring 1 acre came from their grandfather, but it is denied that, Sy No.233/6 measuring 19 guntas is also property of their grandfather, it is admitted that, the 19 guntas land is adjacent to their land measuring 1 acre, further deposed that, very 19 guntas of land is granted by Tahasildhar Koppal in the names of fathers of defendant No.3 and 5, however it is admitted that, there is no grant order.



21. Further it is admitted that, plot No.1500 is purchased by plaintiff on 16-10-1995 for an amount of Rs.15,000/-, however, he has deposed that, very property is purchased by his father in the name of plaintiff, further it is denied that, plaintiff herself has purchased the plot No.1621 of Hosahalli after the marriage, in this regard also he has deposed that, father of the defendant No.3 has purchased the said property in the name of plaintiff. It is admitted that, there is no recital in the sale deed to show that, father of defendant No.3 and 5 have purchased the plot No.1500 in Huligi Village and plot No.1621 at Hosahalli Village in the name of plaintiff.

22. Further denied that, suit lands are properties of their grandfather. DW-2 is the witness in this case, he has deposed his evidence supporting the version of the defendant, in cross-examination admitted that, defendant No.4 is his sister and he is residing at Gangavathi, further



admitted that, 1 acre and 19 guntas both the lands of Munirabad Village are adjacent to each other, further admitted that, there is no concept of oral partition in Muslim Community.

23. Further deposed that, father of the plaintiff has purchased the house in the name of defendant No.1 at Hospet, further father of the plaintiff has purchased a house in the name of plaintiff at Huligi Village, further it is denied that, father of the plaintiff has given the disputed 1 acres land in favour of B.J. Mehaboobsab and B.J. Noushadsab, it is property of Jabbarsab, further deposed that 19 guntas of land came from Government in the names of B.J. Mehaboobsab and Dadapper. Further admitted that, he do not know the house number standing in the name of the defendant No.1 at Hospet, it is admitted that, only 1 acre of land came from Jabbarsab. Further deposed that, Jabbarasab has divided his properties among his children in the year 1993. DW-3 to 5 are the



independent witnesses, they have supported version of the defendants and denied case of the plaintiff.

24. In support of their case, got marked 9 documents.

Wherein Ex.D-1 is the tax assessment register copy pertains to plot No.1500, which is standing in the name of plaintiff. Ex.D-2 is the tax assessment register copy pertains to plot No.1621, which is standing in the name of plaintiff. Ex.D-3 is the copy of mutation entry No.47 dated 24-09-1996 pertains to plot No.1500. Ex.D-4 is the copy of Mutation entry No.12/1993-94 dated 26-08-1993 pertains to suit land Sy No.233/2 measuring 1 acres of Munirabad in Koppal Taluka, it is noticed that, after demise their father, deceased B.J. Mehaboobsab and deceased B.J. Noushad Ali have got mutated said property jointly in their names.

25. Ex.D-5 is the MR No.T5/2012-13 pertains to suit land Sy No.233/2. Ex.D-6 is the copy of registered of sale deed



bearing No.855/1995-96 dated 16-10-1995 pertains to plot No.1500 purchased by plaintiff. Ex.D-7 are the record of rights pertains to suit land Sy No.233/2 measuring 1 acre of Munirabad in Koppal Taluka, which is jointly standing in the names of defendant No.2, plaintiff, defendant No.3 and 6, Ex.D-8 is the record of right pertains to suit land Sy No.233/6 measuring 19 guntas of Munirabad in Koppal Taluka, which is jointly standing in the names of defendant No.2, plaintiff, defendant No.3 and 6. Ex.D-9 is the copy of order dated 29-11-2012 issued by Tahasildhar Koppal with regard to rectification of record of rights pertains to suit land Sy No.233/2P/1 measuring 1 acre in the names of original propositious B.A. Jabbarsab, his sons B.J. Mehaboobsab and B.J. Noushadali. Sy No.233/2 measuring 19 guntas is standing in the name of B.J. Mehaboobsab and B.J. Noushadali son of B.A. Jabbarsab, on the basis of their possession, record of rights are rectified on 29-11-2012.



26. On going through materials available on record, it is noticed that, there is no dispute about the relationship in between the parties, further there is no dispute that, suit land Sy No.233/2 measuring 1 acre of Munirabad came from their father, there is no dispute that Sy No.233/6 measuring 19 guntas is also situated at Munirabad side by the Sy No.233/2 measuring 1 acre of Munirabad.

27. It is noticed that, there is no separate grant order with regard to Sy No.233/6 measuring 19 guntas in the name of B.J. Mehaboobsab and B.J. Noushadali, as per the old record of rights marked at Ex.D-7, deceased Jabbarsab was owner and possessor of 1 acre 22 guntas PK 4 guntas, after demise of Jabbarsab, survey is conducted and separate order is passed as per Ex.D-9, separate numbers are given as per Sy No.233/2 measuring 1 acre and Sy No.233/6 measuring 19 guntas, there is no grant of separate property by the Tahasildhar Koppal as alleged by the defendants.



28. As per case of the defendants, already there is partition in the family properties in the year 2003, but there is no record to prove the same, till today Sy No.233/2 is jointly standing in the name of father of defendant No.2 and 5 along with plaintiff and defendant No.1, it is noticed that, Sy No.233/6 is also not a self acquired property of fathers of the defendant No.3 and 5, which is also property of Jabbarsab, admittedly Jabbarsab is died on 26-08-1993, under such circumstances, naturally his all sons and daughters are entitled for share in his properties.

29. It is case of the defendants that, Jabbarsab has purchased a plot in the name of defendant No.1 at Hospet, but to prove the said fact there is no evidence on record, further there is evidence on record about purchase of plot No.1500 in the name of plaintiff at Huligi Village and also purchase of plot No.1621 at Hosahalli Village, however, there is no evidence on record about payment by the father



of the plaintiff to purchase the said properties. As per case of the plaintiff there are her self acquired properties, available documents speaks that, said properties are directly purchased in the name of plaintiff, under such circumstances, this court is of the opinion that, plot No.1500 and 1621 are self acquired properties of plaintiff.

30. When there is no dispute about relationship in between the parties, their father is died on 26-08-1993 intestate, further this court already comes to the conclusion that, Sy No.233/2 measuring 1 acre and Sy No.233/6 measuring 19 guntas of Munirabad are the properties of Jabbarsab, for practical purpose looking to the evidence available on record, it is noticed that, plaintiff and defendant No.1 are not in actual possession of the suit properties along with defendant No.2 to 5, however, this court comes to the conclusion that, plaintiff and defendant No.1 are in constructive possession of the suit properties along with defendant No.2 to 5, with these views, this court



comes to the conclusion that, plaintiff and defendant No.1 to 5 are tenants-in-common over the suit properties after demise of their father, with these views, this court comes to the conclusion that, plaintiff has proved the above issue No.1 in her favour, so that, I have answered the above **issue No.1 in the Affirmative.**

31. Issue No.2: As per case of the defendant No.2 to 5 already partition is took place in the family properties in the year 2003, but to prove the said fact there is no evidence on record except the pleadings and oral evidence of the defendants, further as per case of the defendants plot No.1500 of Huligi Village and plot No.1621 of Hosahalli village are purchased by Jabbarsab in the name of plaintiff, but to prove the said fact, except oral evidence there is no proof in favour of defendants, further Ex.D-3 mutation entry and Ex.D-6 sale deed speaks that, plaintiff has purchased plot No.1500 from Basanagouda S/o Mallanagouda Patil on 16-10-1995 and said property is



mutated in her name on 09-03-1996. Further Ex.D-1 and 2 property extracts speaks that, both the properties are standing in the name of plaintiff, there is no recital to show that, Jabbarsab has paid the money.

32. Hence considering the documentary evidence which is available in favour of the plaintiff, this court comes to the conclusion that, there is no partition in the year 2003, further this court comes to the conclusion that, plot No.1500 of Huligi and plot No.1621 of Hosahalli Village are self acquired properties of plaintiff after her marriage, with these views, this court comes to the conclusion that, defendant No.2 to 5 have failed to prove this issue in their favour, so that, I have answered the above **issue No.2 in the Negative.**

33. Issue No.3: As per case of the defendants, Sy No.233/2 measuring 1 acre is purchased by father of the defendant No.5 by name B.J. Noushad Ali through



registered sale deed on 21-03-1991, on perusal of the Ex.D-4 sale deed dated 26-08-1993, it is noticed that, very property is purchased by Jabbarsab S/o Chillarsab from the Mohammad Ali and there is no proof of purchase by the father of defendant No.5 as alleged by the defendant No.5, hence this court comes to the conclusion that, defendant No.5 has taken vague plea and failed to prove this issue in his favour, so that, I have answered the above **issue No.3 in the Negative.**

34. Issue No.4: As per case of the defendant No.5, Sy No.233/6 measuring 19 guntas of Munirabad is granted by the Tahasildhar Koppal in the names of B.J. Mehaboobsab and B.J. Noushadali, on perusal of the Ex.D-9 it is noticed that, very property is standing in the name of B.J. Mehaboobsab and B.J. Noushadali, however, on careful reading of the order dated 29-11-2011 passed by Tahasildhar Koppal it is noticed that, they were in possession of the said property, hence very property is



granted in the name of B.J. Mehaboobsab and B.J. Noushadali, it is noticed that, they were in possession of the said property since days of their father by name Jabbarsab.

35. Furthermore said 19 guntas of land is also adjacent to their 1 acre of land. Ex.D-6 old record of rights also speaks that, previously 1 acre 20 guntas of land was standing in the name of their father Jabbarsab, subsequently which is reduced in the record of rights only upto 1 acre, so that, in the year 2012 byway of conducting survey their possession is confirmed for 1 acre and for 19 guntas, there are separate 2 record of rights for 1 acre and 19 guntas as per Sy No.233/2 and Sy No.233/6, so that, defendants are claiming that, they are separate properties, however, looking to the evidence available on record, it is noticed that, they are not separate properties, they are properties of Jabbarsab, with these views, only on the basis of mere conducting of the survey and fixing the boundaries and



preparation of separate record of rights does not amounts to grant of the said land by the Tahasildhar Koppal, hence this court comes to the conclusion that, defendant No.5 has failed to prove that, Sy No.233/6 is granted by the Government in the names of fathers of defendant No.3 and 5, with these views, I have answered the above **issue No.4 in the Negative.**

36. Issue No.5: As per case of the defendants, plot No.1500 of Huligi and plot No.1621 of Hosahalli village are standing in the name of plaintiff and also the property of defendant No.1 situated at Hospet are not included in this suit, so that, suit of the plaintiff is bad for non inclusion of said properties. In the above issues already this court comes t the conclusion that, plot No.1500 of Huligi Village and plot No.1621 of Hosahalli Village are self acquired properties of plaintiff, further there is no oral or documentary evidence about the property of the defendant No.1 situated at Hospet.



37. Further if there is any property in the name of defendant No.1 at Hospet, then also this court comes to the conclusion that, it is her self acquired property for non production of any documents by the defendant No.2 to 5 to prove the payment by the Jabbarsab. With these views, this court comes to the conclusion that, it is not necessary to include those properties, because they are not the family properties of defendants with plaintiff, said properties are self acquired properties of plaintiff and defendant No.1, hence this court comes to the conclusion that, suit of the plaintiff is not bad for non inclusion of those properties, accordingly this court comes to the conclusion that, defendant No.5 has failed to prove this issue in his favour, hence I have answered above **issue No.5 in the Negative.**

38. Issue No.6: As per case of the defendants, already partition is taken place in the year 2003 and very suit is filed in the year 2021, hence suit of the plaintiff is barred



by law of limitation, oral and documentary evidence speaks that, there is no previous partition in their family properties, under such circumstances, this court comes to the conclusion that, suit of the plaintiff is not barred by law of limitation, on the other hand, this court comes to the conclusion that, defendant No.2 to 5 have taken vague plea with regard to the previous partition, so that, this court comes to the conclusion that, defendant No.2 to 5 have failed to prove this issue in their favour, so that, I have answered the above **issue No.6 in the Negative.**

39. Issue No.7: In the above issue No.1 to 6, already this court comes to the conclusion that, suit lands Sy No.233/2 measuring 1 acre and Sy No.233/6 measuring 19 guntas of Munirabad are family properties of plaintiff and defendant No.1 to 5, further this court comes to the conclusion that, original propitious Jabbarsab is died on 26-08-1993. Further this court comes to the conclusion that, plaintiff and defendant No.5 are tenants-in-common



over the suit schedule properties, under such circumstances, this court comes to the conclusion that, plaintiff and defendant No.1 are entitled for their legitimate share over the suit schedule properties to the extent of $1/6^{\text{th}}$ share each. With these views, I have answered the above **issue No.7 in the Affirmative.**

40. Issue No.8:- For the reasons assigned and findings given on the above issue No.1 to 7, this court proceed to pass the following;

ORDER

The suit of the plaintiff is hereby decreed.

Plaintiff is entitled for $1/6^{\text{th}}$ share separately in suit lands Sy No.233/2 and Sy No.233/6 of Munirabad Village by metes and bonds.

Defendant No.1 is also entitled for $1/6^{\text{th}}$ share separately in suit lands Sy No.233/2 and Sy No.233/6 of Munirabad Village by metes and bonds.



Parties have to bear their own cost.

Draw decree accordingly.

(Dictated to the Stenographer directly on computer, typed by him, corrected, signed & then pronounced in the Open Court on this **1st Day of July 2026**).

(Malakari .R. Wadeyar)
Sr. Civil Judge and CJM.,
Koppal.

ANNEXURE

List of witnesses examined for the Plaintiff:

PW-1 : Smt. Sairabanu.

List of witnesses examined for the Defendants:

DW-1 : Sri. Dadapeer,
DW-2 : Sri. Rajavali,
DW-3 : Sri. Ameerbasha,
DW-4 : Sri. Bhojaraja,
DW-5 : Sri. Khalndar.

List of documents marked for the Plaintiff:

Ex.P-1 : RORs pertains to suit land Sy No.233/2,
Ex.P-2 : RORs pertains to suit land Sy No.233/6,
Ex.P-3 : Legal notice dated 05-11-2018,
Ex.P-4 : Reply notice 13-11-2018,
Ex.P-5 : Postal receipts,
Ex.P-6 to 10 : Postal acknowledgments,
Ex.P-11 to 30 : RORs pertains to suit lands,
Ex.P-31 to 33 : Mutation entries pertains to suit lands.

**List of documents marked for the defendants:**

- Ex.D-1 : Tax assessment register copy pertains to plot No.1500,
Ex.D-2 : Tax assessment register copy pertains to plot No.1621,
Ex.D-3 : Copy of mutation entry No.47 dated 24-09-1996 pertains to plot No.1500.
Ex.D-4 : Copy of Mutation entry No.12/1993-94 dated 26-08-1993 pertains to suit land Sy No.233/2,
Ex.D-5 : MR No.T5/2012-13 pertains to suit land Sy No.233/2.
Ex.D-6 : Copy of registered of sale deed bearing No.855/1995-96 dated 16-10-1995,
Ex.D-7 : RORs pertains to suit land Sy No.233/2,
Ex.D-8 : RORs pertains to suit land Sy No.233/6,
Ex.D-9 : Copy of order dated 29-11-2012 issued by Tahasildhar Koppal with regard to rectification of record of rights pertains to suit land Sy No.233/2P/1.

(Malakari .R. Wadeyar)
Sr. Civil Judge and CJM.,
Koppal.