

IN THE COURT OF THE CIVIL JUDGE KARWAR.

AT: KARWAR.

ORIGINAL SUIT NO: 17/2015

PLAINTIFF/S: Smt. Shubhalaxmi W/o. Bhikaji
Govekar, 60 years, Household,
Agril, R/o: Kajubag, Karwar.

V/s

DEFENDANT/S: Maruti @ Krishna S/o. Ladu Naik
80 years, R/o: Kajubag, Karwar.

I S S U E S

1. Whether the plaintiff proves that the defendant No.1 executed an agreement of sale on 16/3/1988 in favour of the plaintiff pertaining to his undivided share in the suit schedule property with proper demarcation along with landed properties of the defendant's joint family properties for valuable consideration of Rs.12,00,000/- and paid Rs.9,000/- towards sale consideration and also paid balance consideration of Rs.3,000/- within the same period on demand by defendant No.1 with due acknowledgment on the original agreement itself?
2. Whether the plaintiff further proves that the defendant No.1 also executed power of attorney as well as registered Will pertaining to suit schedule property?
3. Whether the plaintiff proves she is ready and willing to perform her part of contract as per the agreement?
4. Whether the plaintiff proves that she is entitled to specific performance of execution of

registered sale deed pertaining to the suit schedule property from the defendant?

5. Whether the plaintiff further proves that she is in lawful possession and enjoyment of the suit land?
6. Whether the plaintiff proves that in alternative she is entitled to directing the defendant to refund the consideration amount of Rs.12,000/- paid as advance on the agreement dt: 16/3/1988 with interest at the rate of 12% per annum from the date of payment till realisation?
7. Whether the defendant No.1 proves that the suit is not properly valued and court fee paid is insufficient?
8. Whether the defendant No.1 proves that the suit is not maintainable for non-joinder of necessary parties?
9. Whether the suit is barred by limitation?
10. Whether the plaintiff entitled for the relief claimed?
11. What order or decree?

Place: Karwar.
Dated: 17.06.2015

(Devendra Pandith)
Civil Judge, Karwar.

