

IN THE COURT OF THE CIVIL JUDGE KARWAR.

AT: KARWAR.

ORIGINAL SUIT NO: 64/2012

PLAINTIFF: Smt. Vithabai D/o. Ira @ Hira Kalgutkar
@ Smt. Gangabai W/o. Pandurang Padwalkar
V/s

DEFENDANTS: 1. Sri. Suresh S/o. Balkrishna Padwalkar and others

ISSUES

1. Whether the plaintiff proves that the suit schedule property is undivided Hindu family property?
2. Whether the plaintiff further proves that, he is entitled to 1/4th share in the suit schedule property and also partition and separate possession of the suit schedule property with metes and bounds?
3. Whether the defendant No.1 to 5 prove that, Smt. Savithri Ira @ hira Kalgutkar executed a WILL on 02.06.1980 in favour of Avadu @ Yashoda D/o. Ira @ Hira Kalgutkar, they are became the absolute owners on the basis of the said WILL?
4. Whether the defendants prove that, the entire joint family properties are not included by the plaintiff and suit is not maintainable for partial parties?
5. Whether the 7th defendant proves that, the plaintiff and defendant 6 are born before 1956 and they are not entitled to claim any rate in the suit schedule property under Hindu Succession Act?
6. Whether the 7th defendant further proves that, he is entitled to declare that he is entitled to inherit the whole of the suit schedule property and became the absolute owner of the suit schedule property as the sole surviving co-parcener in the family of Savitri Kalgutkar?
7. Whether the 7th defendant further proves that, he is entitled to declare that the mutation entries are illegal and not binding on him?
8. Whether the 7th defendant further proves that, he is entitled to the order, the cancellation of the mutation entries in the records of rights of the suit schedule Sl.No. 1 to 4 properties in the name of 7th defendant in the place of defendant No.1 to 5?
9. Whether the 7th defendant further proves that, he is entitled to restrain the plaintiff and defendant No.1 to 5 from interfering with the peaceful possession and enjoyment in the suit schedule Sl.No. 1 to 4 properties by way of permanent injunction?
10. Whether the plaintiff entitled for the relief claimed?
11. Whether the defendant No.7 entitled for the relief claimed?
12. What order or decree?

Place: Karwar.
Dated: 13.02.2015

(Devendra Pandith)
Prl. Civil Judge, Karwar.

**Issues framed.
To hear on maintainable issue No.6.
Call on**

Civil Judge, Karwar.