

IN THE COURT OF THE CIVIL JUDGE AT ANKOLA

ORIGINAL SUIT NO.44/2017

PLAINTIFF: Mohan Purassar Gaonkar

-Vs-

DEFENDANT: Arvind Mangesh Shetti

ISSUES

1. Whether the plaintiff proves that he is the absolute owner of the suit schedule property by virtue of the release deed dated 17.12.2015 executed by Ramanath Vithoba Shetti in respect of the suit schedule property in favour of the plaintiff for a valuable consideration of Rs.3,50,000/- and further said Ramanath Vithoba Shetti has executed a correction deed dated 17.12.2016 in respect of the suit schedule property?
2. Whether the plaintiff proves that the defendant behind back of the plaintiff and Ramanath Vithoba Shetti on the strength of G.P.A. has executed a release deed in his favour himself without any consideration?
3. Whether the plaintiff proves that on the basis of G.P.A. of Ramanath Vithoba Shetti the defendant has executed a sale deed dated 13.10.2016 in respect of the suit schedule property in favour of himself, without any consideration?
4. Whether the defendant proves that on 28.03.2013 Ramanath Vithoba Shetti has executed an agreement of sale in his favour in respect of the suit schedule property as pleaded in the counter claim?

5. Whether the defendant proves that apart from the agreement of sale the Ramanath Vithoba Shetti has executed a registered will and a registered G.P.A. in respect of suit schedule property in favour of the defendant, defendant has already paid a sum of Rs.10,00,000/- as consideration amount as pleader in the counter claim?
6. Whether the defendant proves that the release deed dated 7.12.2015 and correction deed dated 17.02.2016 executed by Ramanath Vithoba Shetti in favour of the plaintiff is null and void and not binding on the defendant?
7. Whether the defendant proves that he is in possession and enjoyment of the suit schedule property?
8. Whether the plaintiff is entitled for the relief as sought for?
9. Whether the defendant is entitled for the relief as sought for in the counter claim?
10. What order or decree?

29.09.2020
Ankola

(Rangaswamy J)
Prl.Civil Judge, Ankola

