

**IN THE COURT OF PRINCIPAL CIVIL JUDGE AND JMFC,  
AT BHATKAL**

**O.S.NO.45/2023**

**PLAINTIFF** : Sri. Jattappa S/o Durgappa Naik

**-Versus-**

**DEFENDANTS** : Konkan Railway Corporation Ltd.,  
Rep. by its General Manager.

**I S S U E S**

1. Whether the plaintiff proves that, he has put up RCC revetment/kanta over the Southern bank/bund of the small river/halla by name Belke Pinnupal halla/river i.e., over the Northern boundary of the 'A' schedule properties to protect soil erosion as pleaded in the plaint?
2. Whether the plaintiff proves that, the defendant has changed the direction of the said river/ halla by giving diversion to it and constructed the bridge in unscientific and negligent manner and caused damage to the revetment and because of that flood water directly entered into the 'A' schedule property and thereby caused loss more than Rs.4,00,000/- as pleaded in the plaint?
3. Whether defendant proves that, this court has no jurisdiction as per Sec.15 of the Railways Claims Tribunal Act of 1987?
4. Whether plaintiff is entitled for reliefs as sought in the plaint? If so
5. What order or decree?

Note : The issue No.3 is treated as preliminary issue.

**Sd/-**

**(Smt. Dhanavathi)**  
Prl. Civil Judge and  
JMFC, Bhatkal

Date: 15-11-2023