

IN THE COURT OF THE CIVIL JUDGE AND JMFC.,

HALIYAL

O.S. NO.64/2023

Plaintiff : Sri. Parashuram S/o Channappa
Shapurkar @ Kapurkar

-V/s-

Defendant : Smt. Parvati W/o Somning Pakari

ISSUES

1. Whether plaintiff proves that, he is the adopted son of Smt. Kallavva W/o Channappa Shapurkar as contended in the plaint?
2. Whether plaintiff proves that, his adoptive mother Smt. Kallavva W/o Channappa Shapurkar has bequeathed the suit schedule property in his favour through a registered Will dated 30-08-1990 and as such, he is the owner in possession of the suit schedule property by virtue of said Will?
3. Whether plaintiff proves that, he has perfected his title over the suit schedule properties by way of adverse possession and thereby has become the owner of the same?

4. Whether the plaintiff proves that, the entry of name of the defendant in the CTS records of the suit schedule property is invalid and the same is required to be canceled?
5. Whether the defendant proves that, she is the absolute owner in possession of the suit schedule property by virtue of last and final Will dated 19-07-1994 executed by Smt. Kallavva W/o Channappa Shapurkar in her favour?
6. Whether the plaintiff proves that, counter claim of the defendant is hit by the principles of res-judicata?
7. Whether the plaintiff proves that, counter claim of the defendant is barred by the law of limitation?
8. Whether the plaintiff proves that, he is entitled for the alternative/additional relief of declaration of title over the suit schedule property by virtue adverse possession?
9. Whether the plaintiff proves the alleged interference of the defendant and if so, he is entitled for the relief of permanent injunction?
10. Whether the defendant proves that, he is entitled for the relief of declaration of title over the suit schedule property by virtue of Will dated 21-07-1994?

11. Whether the defendant proves the alleged interference of the plaintiff and if so, she is entitled for the relief of permanent injunction?
12. What order or decree?

(Issues framed, pronounced in open court on this the 04th Day of January, 2023)

Place: Haliyal
Date: 04-01-2023

Civil Judge & JMFC,
Haliyal.