

**IN THE COURT OF ADDL. CIVIL JUDGE & JMFC.,**  
**AT HONNAVAR.**

**Dated this the 31<sup>th</sup> day of May, 2024.**

**:-PRESENT:-**

**SRI. IRANNA HUNASHIKATTI**

B.COM., L.L.B.,  
Addl. Civil Judge & JMFC,  
Honnavar.

**O.S. No. 86/2021.**

**Plaintiff/s :** Smt. Jessy W/o Alosious Fernandies.

**-VS-**

**Defendant/s :** The Brothers of Holycross and Others.

**I S S U E S**

1. Whether the plaintiff proves that she is the absolute owner and in actual possession of suit "A" schedule properties as on date of the suit?
2. Whether the plaintiff further proves that there is a suit road (ABCD) existing in suit "B" schedule property to reach her property & she has got easementary right over the suit road?
3. Whether the plaintiff proves that obstruction caused by the defendants for usage of ABCD suit road described in the hands sketch of the plaint?
4. Whether the suit is maintainable?
5. Whether the Plaintiff proves that defendants are trying to block the existing suit road i.e., Right of way and thereby interfering with their peaceful possession and enjoyment of the said road?

6. Whether the plaintiff proves that defendant No. 5 has fraudulently fabricated, concocted and created the will in respect land extent to 1-12-0?
7. Whether the plaintiff is entitled for the relief sought in the plaint?
8. What order or decree?

{Note: Issue No.4 is treated as preliminary issue }

Date: 31.05.2024.  
Honnavar.

SD/-  
(Iranna Hunashikatti.)  
Addl Civil Judge & JMFC.,  
Honnavar.

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