

**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE
AND C.J.M., UDUPI**

O.S.No. 13/2024

Sri. Prashanth Kumar A.V. and others : **Plaintiffs**

-Versus-

Smt Yashoda Sanil Vishwanath
and another : **Defendants**

ISSUES

1. Whether the plaintiffs proves that themselves and their father Vishwanath Sanil started a small die making business?
2. Whether the plaintiffs proves that 1st and 2nd plaintiff joined their father in the business and in view of combined efforts purchased industrial property out of the income of the business?
3. Whether the plaintiffs further proves that the plaintiff No.1 and 2 were the directors of the company along with Vishwanath Sanil and 1st defendant and they have not been paid any remuneration?
4. Whether the plaintiffs further proves that Vishwanath Sanil had purchased the plaintiff properties for and on behalf of family from and out of the income of the company?
5. Whether the plaintiffs further proves that suit 'B' schedule properties have been purchased in the name of 1st defendant for and on behalf of family from and out of the income of the company?

6. Whether the plaintiffs further proves that the plaintiff No.1 and 2 were removed from directorship and their signatures were obtained on blank papers by the mediator who happens to be an Advocate?
7. Whether the plaintiffs further proves that 2nd defendant obtained settlement deed dated 28.09.2023 and registered on 02.12.2023 in respect of item No.21 of 'A' schedule property when Vishwanath Sanil was not keeping good health and without his knowledge or undue influence?
8. Whether the defendant No.1 proves that her husband Vishwanath Sanil executed a registered gift deed on 29.03.2021 in favour of plaintiff No.1 and 2 and gifted some of the properties?
9. Whether the defendant No.1 proves that suit schedule properties are self acquired properties of her and her husband Vishwanath Sanil?
10. Whether the defendant No.1 further proves that Vishwanath Sanil had executed a joint Will on 17.11.2022, when he was sound state of mind, bequeathing the suit properties in favour of their daughter Pramila and her children?
11. Whether the defendant No.1 proves that suit is bad for non joinder of necessary parties?
12. Whether the defendant No.1 proves that suit is not properly valued and court fee paid is insufficient?
13. Whether the plaintiff are entitled for declaration as prayed in the plaint?
14. Whether the plaintiffs are entitled for 3/5 th share in the suit properties?

15. Whether the plaintiffs are entitled for future share of income?
16. Whether the plaintiffs are entitled for partition and separate possession?
17. What order or decree?

Dated, this the 4th day of June, 2025.

(M.Purushothama)
Prl. Sr. Civil Judge & C.J.M.
Udupi.