

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

O.S.No. 109/2024

Smt. Padma Poojarchy and another : **Plaintiffs**

-Versus-

Smt. Devaki Poojarchy and others : **Defendants**

ISSUES

1. Whether the plaintiffs proves that Mansa Poojary and his wife Koosu Poojarchy have been cultivated the suit schedule properties obtained on chalageni?
2. Whether the plaintiffs further proves that one of the Son of Mansa and Koosu Poojarchy by name Shiva Poojary filed Form No.7 for an on behalf of the children of Mansa Poojary and Koosu Poojarchy?
3. Whether the plaintiffs further proves that occupancy right was issued in favour of Shiva Poojary for himself and on behalf of the family members of Manas and Koosu Poojarchy?
4. Whether the plaintiffs further proves that the defendant No.2 and 28 tried to alienate the suit 'C' and 'D' schedule properties?
5. Whether the plaintiffs further proves that the sale deed stands in the name of defendant No.2 in respect of 'C' schedule property is not binding on them?

6. Whether the defendant No.20 proves that occupancy right was issued in favour of Shiva Poojary for himself and not on behalf of the family of Manas and Koosu Poojarchy?
7. Whether the defendant No.20 proves that Shiva Poojary executed a Will on 27.09.2023 bequeathing the Sy.No.97/1 measuring 14.25 cents in his favour when he was sound state of mind?
8. Whether the defendant No.20 proves that suit is bad for non-joinder and mis-joinder of necessary parties?
9. Whether the defendant No.20 proves that suit is not properly valued and court fee paid is insufficient?
10. Whether the defendant No.28 proves that the plaintiffs, defendant No.2, 3, 22, 23, 24, 26 and 27 executed a sale deed dated 23.12.1999 conveying 34.50 cents out of item No.2 of the plaint 'A' schedule property i.e. 'B' schedule property in his favour?
11. Whether the defendant No.28 proves that he is the absolute owner of 'B' schedule property and his mother i.e. defendant No.2 is the absolute owner of the 'C' schedule property?
12. Whether the plaintiffs are entitled for 1/7 th share in the suit 'A' schedule properties?
13. Whether the plaintiffs are entitled for partition and separate possession?
14. Whether the plaintiffs are entitled for injunction as prayed in the plaint?

15.What order or decree?

Dated, this the 19th day of March, 2025.

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