

IN THE COURT OF PRL. CIVIL JUDGE & JMFC, KARKALA.

**Present : SMT. POORNIMA N. PAI., B.Com., LL.B.,
Prl.Civil Judge & JMFC, Karkala.**

Dated: This the 8th Day of June 2015.

Original Suit No. 163/2014

**Mr. Frederick D'Souza,
Reptd. by his G.P.A.Holder
Mr. Robert D'Souza.**

... Plaintiff.

- V/s -

Smt. Shantha Moily.

... Defendant.

ISSUES

- 1. Whether the plaintiff proves that suit 'B' schedule properties are the Kumki right lands to the Khadeem land of plaintiff used from time immemorial?**
- 2. Whether the plaintiff further proves that defendant trespassed in the plaint 'B' schedule properties in December 2009 and constructed a house and fenced 0.08 cents of land in 'B' schedule property?**
- 3. Whether the plaintiff further proves that he is entitled to recover the 0.08 acre of land on the basis of prior possession and evict the defendant from said land?**
- 4. Whether the plaintiff is entitled for the relief of direction to defendant to surrender vacant possession of plaint 'B' schedule property after removal of encroachment as prayed for?**
- 5. Whether the plaintiff is entitled for damages as claimed for?**
- 6. Whether the plaintiff further proves that suit is not properly valued and barred by limitation?**

7. What order or decree?

Issues framed on this the 8th day of June 2015.

**(Poornima N. Pai)
Prl. Civil Judge & JMFC, Karkala.**

Additional Issues framed as

Addl. Issue No. 1: Whether the plaintiff proves that suit properties are originally belongs to late Koraga Poojary on lease hold right and its a joint family property?

Addl Issue No. 2: Whether fourth defendant proves that he has effected vast and improvements in the properties covered under alleged Settlement Deed dated 18-03-2006 and he is entitled for Egity?

Addl. Issue No. 3: Whether defendant No. 4 proves that suit for relief of declaration is barred by limitation?

Addl. Issues framed on this the 7th of July 2014.

**(Poornima N. Pai)
Prl. Civil Judge & JMFC, Karkala.**