

IN THE COURT OF THE CIVIL JUDGE & JMFC, HUVINAHADAGALI.

O.S. No. 170/2015

Shri D. Ismailsab S/o Shabuddin

...Plaintiff

V/S.,

Smt. D. Shaherabanu W/o D. Nabisab and another

...Defendants

### **ISSUES**

1. Whether the plaintiff proves that he has the absolute owner and possession of the suit schedule property?
2. Whether the plaintiff proves that defendant No.1 encroached and constructed the building in extent of east-west 40 feet, north-south 18 feet and defendant No. 2 encroached western side of suit property in extent east-west 30 feet north-south 40 feet?
3. Whether the defendant proves that plaintiff has sold out suit property to husband of defendant No.1 on 14-05-2012 for valuable consideration Rs. 6,50,000-00 and agreement of sale deed?
4. Whether the defendant proves that boundaries mention in the plaint and boundaries of defendant No.1 is entirely different from each other?
5. Whether the defendant proves that father of defendant No.1 and plaintiff are sold out Survey No. 586/2/1 to one S.Channabasavana Gouda on 13-08-1998 through register sale deed for Rs. 20,000-00?
6. Whether the defendant proves that Channabasavanagoud has sold out suit survey No. 586/2/1 to 2nd defendant on 20-2-2013 through register sale deed?
7. Whether the defendants proves that this Court has no pecuniary jurisdiction?

8. Whether the plaintiff proves that the defendants have tried to interfering peaceful possession and enjoyment of plaintiffs suit property?
9. Whether the plaintiff is entitled for the relief of declaration and injunction as sought for?
10. What order or decree?

Place: Hadagali,  
Date : 02.11.2016.

(Yamanappa Kare Hanumanthappa),  
Civil Judge, Hadagalli.