

IN THE COURT OF CIVIL JUDGE, HARAPANAHALLI

O.S.No. 122/2013.

**Plaintiff / s : Shanwaz S/o Dooda Buddian
Sab**

V/s

**Defendant / s : Saleem Sab S/o Dooda Budian
Sab.**

:: I S S U E S ::~

1. **Whether the plaintiff proves that himself and defendant are in possession of the suit schedule properties as tenant in common?**
2. **Whether the plaintiff proves that he is having ½ share in the suit schedule properties?**
3. **Whether the defendant proves that there was a earlier orall partition and it was reduced into writing signed by three sons of Late. Dodda Buden Sab by dividing the properties between the plaintiff and defendant under a document dated 26-10-1992 styled as “Kutumbada Asthiya Vibhaga Patra” ?**
4. **Whether the defendant proves again there was a partition between plaintiff and defendant dated: 02-04-1997 styled as “Asthiya Vibhagad Dastaveju”?**
5. **Whether the defendant proves that item No. 3 of suit schedule property was fallen to the share of defendant in the partition held on 02-04-1997?**
6. **Whether the defendant proves that item No. 5 of suit schedule property is self acquired property of there mother?**
7. **Whether the plaintiff is entitled for partition? If so, to what extent?**
8. **What Order or Decree?**

(Shobha. B. G)

**Civil Judge and JMFC
Harapanahalli**

**Place : Harapanahalli
Date : 17-02-2020.**

:: ISSUES ON COUNTER CLAIM :

- 1. Whether the defendant proves that himself and his sister by name Razia Begum and plaintiff have purchased land measuring 5 acres in Sy. No. 72/A in the name of plaintiff as he was elder brother of the defendant ?**
- 2. Whether the defendant proves that item No. 8 was divided equally between himself and plaintiff and item No. 9 was divided between them and each have got 1.25 acres and remaining 2.50 acres was kept as contributory share of they sister Razia Begum in both documents dated: 26-10-1992 and 02-04-1997?**
- 3. Whether the defendant proves that he is in peaceful possession and enjoyment of counter claim schedule properties as a co-owner?**
- 4. Whether the defendant proves that he is having 1/2 share in respect of item No. 2 to 4, and 6 to 8 of counter claim schedule properties?**
- 5. Whether the plaintiff proves that he has purchased item No. 8 and 9 of counter claim schedule properties on his own earnings ?**
- 6. Whether the plaintiff proves that the counter claim of the defendant is barred by law of limitation?**
- 7. *Whether the defendant is entitled for partition? If so, to what extent?***
- 8. What Order or Decree?**

**Place : Harapanahalli
Date : 17-02-2020.**

**(Shobha. B. G)
Civil Judge and JMFC
Harapanahalli**