

DECREE

Date of Institution : 03-11-2022

Date of Disposal : 28-06-2023

**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE & CJM BELAGAVI, AT BELAGAVI**

Regular Appeal No. 153/2022

BETWEEN:

1. Smt. Mehru Wd/o. Salahuddin Tahsildar,
Age : 56 years, Occ : Doctor,
R/o. B-2/207, 2nd floor, "Malaprabha"
KHB Heritage, Jakkeri Honda, Belagavi-01.
2. Aadil S/o. Salahuddin Tahsildar,
Age: 26 years, Occ: Student,
R/o: B-2/207, 2nd floor, "Malaprabha"
KHB Heritage, Jakkeri Honda, Belagavi-01.

....Appellants

AND:

1. Mr. Zeeshan S/o. Nasiruddin Tahsildar,
Age: 30 years, Occ: Business,
R/o: H.No.301, Mujawar Galli, Belagavi.
2. Mr. Nomaan S/o. Nasiruddin Tahsildar,
Age: 27 years, Occ: Business,
R/o: H.No.301, Mujawar Galli, Belagavi.
3. Smt. Hajarabi S/o. Nasiruddin Tahsildar,
Age: 50 years, Occ: Business,
R/o: H.No.301, Mujawar Galli, Belagavi.
4. The State of Karnataka
Represented by
The Deputy Commissioner, Belagavi.

5. The Commissioner
City Corporation, Belagavi

.... Respondents

**APPEAL UNDER SEC. 96 (3) OF CIVIL PROCEDURE
CODE**

This appeal coming on this day for final disposal before Shri. Bhat Manjunath Narayan, B.Com., LLB(Spl), Principal Senior Civil Judge & CJM., Belagavi, in the presence of Shri. G. G. Patil, Advocate for Appellants and Shri. P. V. Hiremath, Advocate for Respondent No. 1 to 3 and Respondent No.4 and Respondent No.5 absent.

It is ordered that,

Application filed under Sec. 96 of CPC at I.A.No.1 is allowed and leave is granted to appellants being aggrieved party to file appeal.

Regular appeal filed under Order XLI Rule 1 R/w Sec.96 of C.P.C. by the Appellants is hereby allowed.

As a result the judgment and decree passed by the Trial Court in O.S.No.827/2021 dated 04.03.2022 is hereby set-aside. Suit of the plaintiffs is dismissed.

Parties to bear their own cost.

Given under my hand and seal of the Court on this 28th
day of June 2023.

Decree signed on : / /2023.

sd/-

Principal Senior Civil Judge
& CJM., Belagavi.

BILL OF COSTS

	By the Appellant Rs. Ps	Respondent
Court fee paid on plaint	25-00	--
Court fee on Vakalathnama	01-00	01-00
Court fee on I.A.	20-00	--
Court fee on Documents	01-00	--
Court fee on Process	24-00	--
Advocate's fee	00-00	-
Total	71-00	01-00

Sheristedar
(Decree Section)

Adm.
Sheristedar

sd/-
Principal Senior Civil Judge
& CJM., Belagavi.