

**IN THE COURT OF ITINERATING SENIOR CIVIL
JUDGE AT HUVINAHADAGALI.**

**PRESENT: SRI. B.C. CHANDRASHEKAR., B.A., LL.B.
Senior Civil Judge & J.M.F.C. H.B. Halli and
Itineary Senior Civil Judg,
Huvinahadagali
Hagaribommanahalli.**

Dated this the 07th day of September 2018.

ORIGINAL SUIT NO. 25/2018

PLAINTIFFS: - Sri. Basapattana @ Gwarappanavara.

V/s

DEFENDANT: - Sri. Basapattana @ Gwarappanavara
Neelappa S/o Ningappa & 11 others.

Sri. H.B.R for plaintiff filed memo reporting the death of defendant No. 9 and submits defendant. No. 8, 10, and 11 are the his legal heirs.

Sri. J.K. for defendants held no objection on memo.

Heard.

Memo is allowed.

The plaintiff is permitted to mention the death of the defendant NO. 9 in cause title and directed to submits the amended plaint in of the office.

Sri. HBR for plaintiff filed memo praying to dismiss the claim of the plaintiff over item no. 1 of B schedule property and item no. 2 of C schedule property.

Sri. JK for defendant held no objection.

Heard,

Memo is allowed.

The claim of the plaintiff over item no. 1 of B schedule property and item no. 2 of C schedule property is hereby dismissed as not pressed.

Sri. HBRK for plaintiff filed IA U/o 6 rule 17 of CPC praying to amend the measurement and in time no. 7 of B schedule property.

Application has been supported with affidavit of the plaintiff.

Sri. JK held no objection.

Heard.

IA is allowed as sought for.

The plaintiff is permitted to amend the plaint and submit the amended plaint in the office.

Sri H.B.R.K. for plaintiff filed memo along with documents.

Plaintiff and his counsel Sri HBRK present and defendant No. 1 to 8, 10, and 11 are and their counsel Sri. JK present.

Both parties are filed the compromised petition U/o 23 rule 23 of CPC.

Contents of the compromise petition have read over to the parties and both parties are accepted the same.

Perused the material available in record.

The plaintiff has filed suit for partition and separate possession of the suit properties. Now both parties have compromised the matters as per the compromise petition.

On perusal of the RTC extract it appears that item No. 2 of B schedule property bearing sy. NO. 54 is measuring 7.39 acres, item no. 3 of B schedule property bearing Sy. NO. 55A measuring 3.03 acres is standing in the name of the defendant N. 3 item No. 4 of the property in sy NO. 55B measuring 3.03 acres is standing in the name of the defendant NO.2. item NO. 5 of the property bearing Sy. NO. 165 measuring 0.20 acres of B schedule property is standing in the name of father of the defendant no. 1 to 9. Item NO. 6 of the property is Sy No. 255F measuring 0.50 acres of B schedule property is standing in the name of the defendant NO.2. Item NO. 7 of the property bearing Sy No. 300 measuring 4 acres. and it is standing in the name of plaintiff.

Similarly item No. 1 of schedule C of the property bearing door no. 60/2 is standing in the name of defendant no. 3 item no. 3 of schedule C of the property bearing door no. 63/2 is standing

in the name of defendant no. 2. item no. 4 of schedule C of the property Bering door no. 61./3 is standing in the name of defendant no. 3. item no. 5 of schedule C of the property bearing door no. 76/2 sis standing in the name of plaintiff.

Thus the suit properties are standing in the name of the plaintiff and defendants and their father. Now they have compromise their matter and get allocated he share hence the compromise petition can be accepted. Accordingly I proceed to pass the following:.

ORDER

The Compromise petition
Under order 23 rule 3 of CPC filed
by the both parties is hereby
accepted. Suit of the plaintiffss is
hereby decreed as per the
compromise petition.

Sr. Civil Judge and
Huvinahadagali