

DECREE

IN THE COURT OF THE ADDL. CIVIL JUDGE & JMFC., AT MADIKERI

O.S. No.132/2019

Plaintiff : The Corporation Bank,
Karike Branch,
Represented by Manager,
Corporation Bank,
Karike Branch, Madikeri, Kodagu.

V/s.

Defendant : 1. K B Devaraj,
S/o Late K S Bojappa,
Aged 54 years,
R/o Karike Village and Post,
Madikeri Taluk, Kodagu.

2. B D Devaraj
S/o Damodhara B U
Aged 44 years,
R/o Karike Village and Post,
Madikeri Taluk, Kodagu.

Suit filed on : 07-11-2019

Nature of suit : Money Suit.

Suit Claim : a) A recovery of loan amount of Rs. 83,062/- with the current and future interest at the rate of 11.65% per annum from the defendants, jointly and severally till the realization. Alternately create charge on the property mentioned herein below and put the property in to public auction by passing preliminary decree against the 1st defendant.

b) Directing the defendants to disclose their movable and immovable

properties to the plaintiff bank with its identification.

- c) The directing the 1st defendants, shall not leave the country without permission of the this Hon'ble court or before paying the full and final settlement of the amount due to plaintiff bank.
- d) Directing the defendants to pay cost of this suit and any other relief or relief's

This suit is coming for disposal on this the 23rd day of January 2020 before Smt. Smita Nagalapur., B.A., LL.B., Addl. Civil Judge & JMFC., at Madikeri, in the presence of Sri. K K Nirmalananda, Advocate for the Plaintiff and Defendants being absent placed as exparte.

For the reasons stated in the Judgment, it is ordered and decreed as follows:

The suit filed by the plaintiff is decreed with costs.

It is ordered and decreed that, defendants are jointly and severally liable to pay a sum of Rs. 83,062 (Rupees Eighty Three Thousand and Sixty Two only) to the plaintiff, with interest Rs. 11.65% p.a. from the date of suit till the date of realization. The defendants are liable to pay the said amount within 3 months of this order.

The plaintiff is entitled to apply for final decree for the sale of suit schedule property in case of failure on the part of the defendants in payment of decretal amount in order to realize the same.

Given under my hand and seal of the Court, this the 23rd day of January 2020.

Sd/-xxx
Addl. Civil Judge & JMFC.
Madikeri.

MEMORANDUM OF COSTS INCURRED IN THIS SUIT:

	<u>By the Plaintiff</u>	<u>By the Defendants</u>
1. Court fee on plaint	5439-00	--
2. Court fee on Vakalath	--	--
3. Process fee & RPAD charges	20-00	--
4. Advocate fee	3616-00	--
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Total	9075-00	--
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Sd/-xxx
Addl. Civil Judge & JMFC.
Madikeri.

SCHEDULE PROPERTY

An area of 0.69 acres of Sagu Kushki and land bearing Sy.No.472/4, situated at Karike Village, Madikeri Taluk, Kodagu District within the jurisdiction of this Hon'ble Court.

Sd/-xxx
Addl. Civil Judge & JMFC.
Madikeri.

VALUATION SLIP

Serial No. of the Property in Plaintiff Schedule	The clause of Sec.7(2) of the Karnataka Court Fees and suits Valuation act, 1958 under which the property comes	The amount of Revenue or other basis for valuation	Method adopted to arrive at the valuation	Valuation arrived at
Court fee paid a sum of Rs. 5439/- U/Sec.21 of the KCF and SV Act.				

Sd/-xxx
Addl. Civil Judge & JMFC.
Madikeri.

(K K Nirmalananda)
Advocate for plaintiff