



CS No.108 of 2011

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DR.R.N.MANJULA, J.

After perusing the pleadings and submissions of the learned counsel for both sides, the following issues are framed:

- i) Whether the suit is maintainable in its present form ?*
- ii) Whether the transfer of 12,000 shares of the plaintiffs as detailed in 'E' schedule of the plaintiffs is not legal and whether they are liable to be declared as null and void ?*
- iii) Whether the first and fifth defendants are jointly and severally liable to pay a sum of Rs.2,00,000/- along with interest towards refund of advance as claimed ?*
- iv) Whether the defendants 12 and 13 are in quasi-partnership as alleged by the plaintiffs ?*
- v) Whether the plaintiffs are entitled to the relief of declaration that the defendants 12 and 13 are in quasi – partnership ?*
- vi) Whether the assets and business of defendants 12 and 13 as mentioned in Schedule A, B and D is liable to*



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dissolution and distribution between the first plaintiffs and defendants 1,5, 9 to 11 ?

vii) Whether the first plaintiffs are entitled to 25% share in the suit schedule mentioned properties ?

viii) Whether the first plaintiffs are entitled to decree for partition as prayed ?

ix) Whether the suit is bad for non-joinder of necessary parties ?

x) Whether the claim for partition is barred by res judicata in view of the earlier Compromise Decree dated 24.03.2010 made in O.S.No.196 of 2010 on the file of the III Additional Civil Judge, Mangalore ?

xi) Whether the suit is barred by limitation ?

xii) Whether the plaintiffs are always been in constructive possession of all the schedule mentioned properties ?

xiii) Whether there is no cause of action for the suit ?

xiv) To what other relief the plaintiffs are entitled to, if any ?

2. For further orders as regards the other defendants who have not

filed written statement, the matter is ordered to be listed on 27.11.2025.



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20.11.2025