ITEM NO.105 COURT NO.10 SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 5867-5868 OF 2005

SHIVAGOUDA R. PATIL (D) BY PROP. LRS. Appellant (s)

VERSUS

MALAGOUDA BHIMAGOUDA PATIL & ANR. Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief and office report)

Date: 14/03/2012 These Appeals were called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE DEEPAK VERMA
HON'BLE MR. JUSTICE DIPAK MISRA

For Appellant(s) Mr. G.V. Chandrashekar,Adv.
Ms.Anjana Chandrashekar,Adv.

For Respondent(s) Ms. Kiran Suri,Adv.
Mr. Nakibur Rahman B., Adv.
Mr. S.J. Amith, Adv.

UPON hearing counsel the Court made the following
O R D E R

Dispute in this appeal is with regard to lands admeasuring 37 Gunthas of Survey No.441/1 and 5 Acres 02 Gunthas of Survey No.442 situated at village Chikodi, Belgaum district. Earlier they were described as agricultural lands.

Learned Single Judge of the High Court, vide impugned judgment and decree, has held that appellant is entitled to 1/6th share in the suit property. Even though learned counsel appearing for the appellant contended that he would be entitled to 1/4th share in



the suit property, but it is refuted strenuously by the learned counsel for the respondent.

However, without going into the said controversy, we enquired from the respondents if they would be ready and willing to offer the market price to the appellant to the extent of 1/6 th share in lieu of

the land so that the controversy between the parties could be settled for all time to come.

Both parties prayed for time to seek instructions in this regard and to file details of the valuation of 1/6th share of the appellant that has been carved out by the learned Single Judge. For the said purpose, the matter be taken up after three weeks.

(A.D. Sharma)
Court Master

(S.S.R. Krishna)
Court Master