

**IN THE COURT OF THE IV ADDL. CIVIL JUDGE, VIJAYAPURA
AT: VIJAYAPURA.**

DECREE

O.S.No.404/2012

Date of Institution : 01.06.2012.

Date of disposal : 09.01.2023.

Plaintiffs:

1. Rajashekhar S/o Shivalingappa Mangalwede,
Age-70 years, Occ-Agriculture & Business,
R/o.Near Railway Station Sindagi Road,
Vijayapur.
2. Aravind S/o Gurulingappa Mangalwede,
Age-46 years, Occ-Agriculture,
R/o.Opposite Gol-Gumbaz Station Road,
Vijayapur.
3. Shailaja D/o Chanabasappa Chiniwar,
Age-53 years, Occ-Agriculture & H.H. Work,
R/o.Kavi Plot Station Road,
Vijayapur.
4. Premanand S/o Shivalingappa Mangalwede,
Age-58 years, Occ-Agriculture & Business,
R/o. Near Railway Station, Sindagi Road,
Vijayapur.

- V/s. -

Defendants:

1. Hajisab S/o Mohammadsab Sarawad,
Since deceased by his Lrs.

- 1A. Sahebbi W/o Hajisab Sarawad
Age-60 years Occ-Agriculture
R/o.R.S.No.238/2, Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 1B. Allabax S/o Hajisab Sarawad,
Age-36 years, Occ-Agriculture,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 1C. Umar S/o Hajisab Sarawad,
Age-25 years, Occ-Agriculture,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 1D. Shabera W/o Allabax Shahabandar,
Age-40 years, Occ-Agriculture,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 1E. Bhisimilla W/o Rajesab Mulla,
Age-38 years, Occ-Household work,
R/o.Indi Road near By-Pass cross,
Vijayapur.
- 1F. Mehabubbi W/o Imtiyaz Mujawar,
Age-23 years, Occ-Household work,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
2. Jannatabi W/o Aminsab Shivanagi,
Age-68 years, Occ-Agriculture
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
Since deceased left No L.Rs.

3. Husainbi W/o Yaktrasab Kumatagi,
Age-65 years, Occ-Agriculture,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur,
Sindagi Road, Vijayapur.
4. [Modinsab S/o Mohammadsab Sarawad]
Since deceased by his L.Rs.
- 4A. Paigamber S/o Modinsab Sarawad,
Age-43 years, Occ-Coolie,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 4B. Ameerbi W/o Modinsab Sarawad,
Age-65 years, Occ-H.H. Work,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapura.
- 4C. Alisab S/o Modinsab Sarawad,
Age-35 years, Occ-Coolie,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 4D. Dadapeer S/o Modinsab Sarawad,
Age-30 years, Occ-Coolie
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur,
Sindagi Road, Vijayapur.
- 4E. Hasansab S/o Modinsab Sarawad,
Age-27 years, Occ-Coolie,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 4F. Haseena D/o Modinsab Sarawad,
Age-27 years, Occ-H.H. work
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.

- 4G. Smt.Noorjan W/o Rahematullah Mirajkar,
Age-45 years, Occ-H.H. work
R/o.Shahapur Gate Near Hugar Shop,
Vijayapur
- 4H. Smt.Begum W/o Rafeeq Mulla,
Age-30 years, Occ-H.H. work
R/o.Shahapur Gate Near Hugar Shop,
Vijayapur.
5. Abdulsab S/o Mohammadsab Sarawad
Age-61 years, Occ-Agriculture
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- [6. Madarsab S/o Mohammadsab Sarawad]
Age-58 years, Occ-Agriculture,
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
Since deceased by his L.Rs.
- 6A. Rabanbi W/o Madarsab Sarawad,
Age-55 years, Occ-Household work,
R/o. C/o. R.S.No.236 & 238,
Mahalabagayat Vijayapur
- 6B. Bibijan W/o Maliksab Gundanpalle,
Age-36 years, Occ-Household work
R/o.Yogapur Colony, Vijayapur.
- 6C. Fatima W/o Dastagirsab Hanagal,
Age-34 years, Occ-Household work,
R/o.Yogapur Colony, Vijayapur.
- 6D. Javed S/o Madarsab Sarawad,
Age-33 years, Occ-Coolie,
R/o.R.S.No.236 & 238 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.

- 6E. Mahaboob S/o Madarsab Sarawad,
Age-32 years, Occ-Coolie
R/o.R.S.No.236 & 238 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 6F. Rajiyabi @ Afsana W/o Asif Nagarchi,
Age-31 years Occ-Household work
R/o.Mudhol, Dist-Bagalkot.
- 6G. Asif W/o Madarsab Sarawad,
Age-29 years, Occ-Household work ,
R/o.R.S.No.236 & 238 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapura.
7. Bashasab S/o Mohammadsab Sarawad,
Age-56 years, Occ-Agriculture
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
8. Lalasab S/o Mohammadsab Sarawad,
Age-52 years, Occ-Agriculture,
R/o.R.S.No.238/2, Mahalabagayat Vijayapur
Sindagi Road, Vijayapura.
9. Allabax S/o Abdulsab Shahbandar
Age-51 years Occ-Agriculture
R/o.R.S.No.238/2s,Mahalabagayat Vijayapur
Sindagi Road, Vijayapura.
- [10. Razaksab S/o Moulasab Nandyal]
Since deceased by his L.Rs.
- 10A. Mumtaz W/o Razaksab Nandyal
Age-45 years Occ-Household work
R/o.R.S.No.238/2, Mahalabagayat Vijayapur
Sindagi Road, Vijayapura.

- 10B. Saleem S/o Razaksab Nandyal,
Age-26 years Occ-Coolie
R/o.R.S.No.238/2 of Mahalabagayat Vijayapur
Sindagi Road, Vijayapur.
- 10C. Aarif S/o Razaksab Nandyal,
Age-15 years, Occ-Student Since minor
rep. By his minor guardian natural mother
defendant No.10A Mumtaz W/o Razaksab Nandyal.

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Nature of the suit: Possession.

Claim of Rs.1,000/-

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Prayer as per plaint:-

- a) A decree directing the defendants to vacate and hand over the vacant possession of suit property as described in para No.2 of the plaint to the plaintiffs be passed.
- b) Costs of this suit be awarded to the plaintiffs from the defendants.

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This suit is coming on this the 09th day of January-2023 for final disposal before Sri. Vishwanath Savadi B.A., LL.B.(Hon's) IV Addl. Civil Judge, Vijayapura in the presence of Sri.S.S.Sarganachari, Advocate for Plaintiffs, Sri. A.A. Hebbal, Advocate for Defendants and Sri.R.G.Sanjawadmath, Advocate for Defendant No.1B.

It is Ordered and Decreed that:

:ORDER:

The suit of the plaintiffs in O.S.No.404/2012 is hereby decreed with costs.

The suit of the plaintiffs in O.S.No.768/2009 is hereby dismissed with costs.

It is hereby directed the defendants in O.S.No.404/2012 to hand over the possession of the suit property which is shown by letters A1B1C1D1 in the plaint hand sketch map ad measuring 240X225 feet in R.S.No.238/2 of Mahalbagayat village, Vijayapura to the plaintiffs within one-month from this judgment, failing which the plaintiffs are entitled to recover the same according to law.

(Given under my hand and seal of the Court this 09th day of January-2023).

IV Addl. Civil Judge,
Vijayapura.

Suit Schedule Property

An area measuring 240 feet East-West and 225 feet North-South consisting of built portion and open space out of R.S.No.238/2 now renumbered as R.S.No.238/7 measuring 1 acre 18 gunta, R.S.No.238/8 measuring 1 acre-17 gunta, R.S.No. 238/9 measuring 1Acre-17 Gunta, R.S.No.238/4 measuring 00 acre 14 gunta and R.S.No.238/3 measuring 00Acre-13 Gunta all situated at village Mahalabagayat in Vijayapura taluka which has shown by letters A1B1C1D1 as shown in the plaint sketch.

BILL OF COST

<u>Sl.No.</u>	<u>Particulars</u>	<u>Plff. Rs.</u>	<u>Dfts. Rs.</u>
1	Court fee on plaint	25=00	--
2	Process Fee	44=00	--
3	Advocate's Fee	F.C.Not filed	F.C.Not filed
	TOTAL	49=00	--

Decree

9

O.S.No.404/2012
C/W O.S.No.768/2009.

Note: Valuation slip is appended with Decree and Same is part and parcel of the Decree.

Draft Decree notified on : 10-01-2023

Decree signed on : 16-01-2023

Prepared by

Verified by

F.D.A

Sheristedar

Sd/-
IV Addl. Civil Judge,
Vijayapura.

(S.S.Sarganachari)
Advocate for the plaintiffs.

(A.A.Hebbal)
Advocate for the Defendants.

(R.G.Sanjawadmath)
Advocate for Defendant
No.1B.
