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FINAL DECREE IN PARTIAL SUIT.

In the court of the Second Additional Judge, city
civil court, Hyderabad A.P.
Saturday the 16th day of March, 1974.

Present: Sri S. Sundara Rao B.A., B.L.,
J.A. Judge, Hyderabad.

I.A. No. 349 of 1968.

ⁱⁿ
O.S. No. 67 of 1961.

(on the file of First Appeal No. 1000 of 1973)

Between:

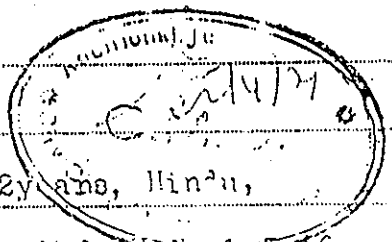
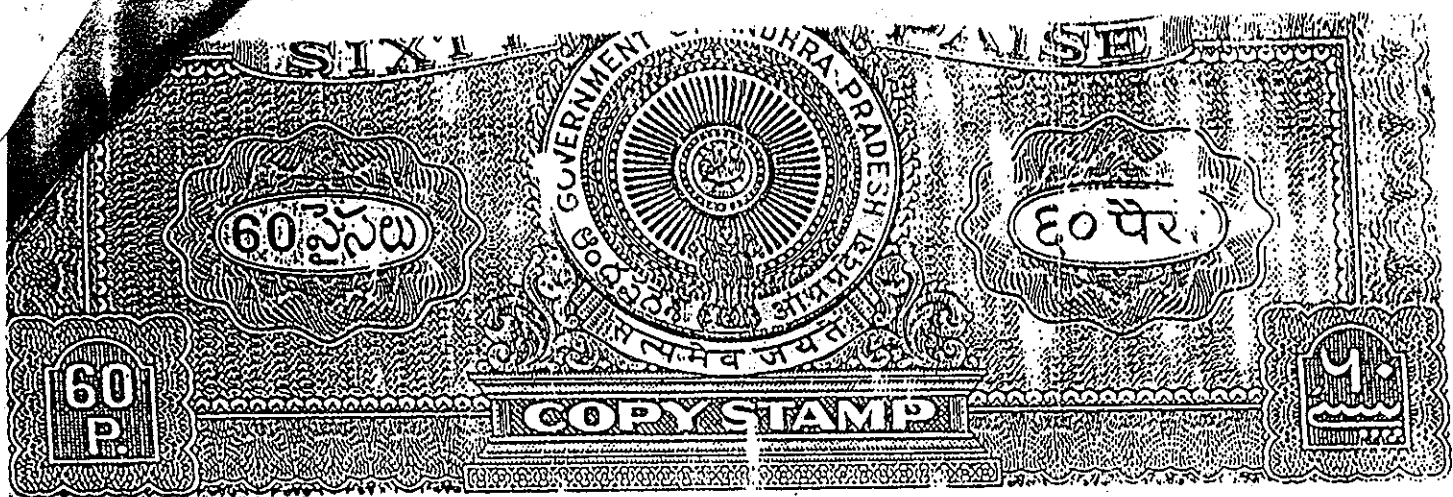
- 1. Maryam Sultana w/o. Baquar Raza age 55 years,
Muslim, service r/o opposite King Kothi, Road,
Hyderabad.
- 2. Syed Ameer Ali Raza s/o Baquar Raza age 19 years
muslim, student r/o opp. King Kothi Road, Hyderabad.

And ... petitioners/plaintiffs

- 1. Syed Asa Raza s/o Baquar Raza age about 40 years
muslim, mechanic r/o H.No. 1-5-16, Musheerabad, Hy.
- 2. Kaneez Raza s/o Baquar Raza w/o Hasan Bahadur,
age 30 years, muslim household r/o Karachi, Pakistan.
- 3. Maulatunnisa begum w/o Baquar Raza age 45 years
musli household r/o H.No. 1-5-16, Musheerabad,
Hyderabad (died) per L.Rs. respondents, Nos. 6 and 7.

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4. K. Narsimlu s/o Papiah age 32yrs, Hindu, businessman r/o Bakaram, Musheeraba, H.No. 1-5-16 Hyderabad.

5. B. Srinivasa Chari s/o Raghaven' er chari age 52 years, Hindu clerk in Railway, Secun'oraba r/o.H.No.1-5-16, Bakaram Musheeraba Hyderabad.

6. Farooq Ali Mirza s/(not known age about 65 years, occupation Trade r/o 23.1.356, Ahanta Behram' Doula Kotla Alijah, Hyderabad (respondent No.6 'ie') per L.Us.i.e. respondents Sto13).

7. Mirza Jaffer Hussain s/(not known age 55 years, occupation private servant, No Koche Moulalal, Hy-40.

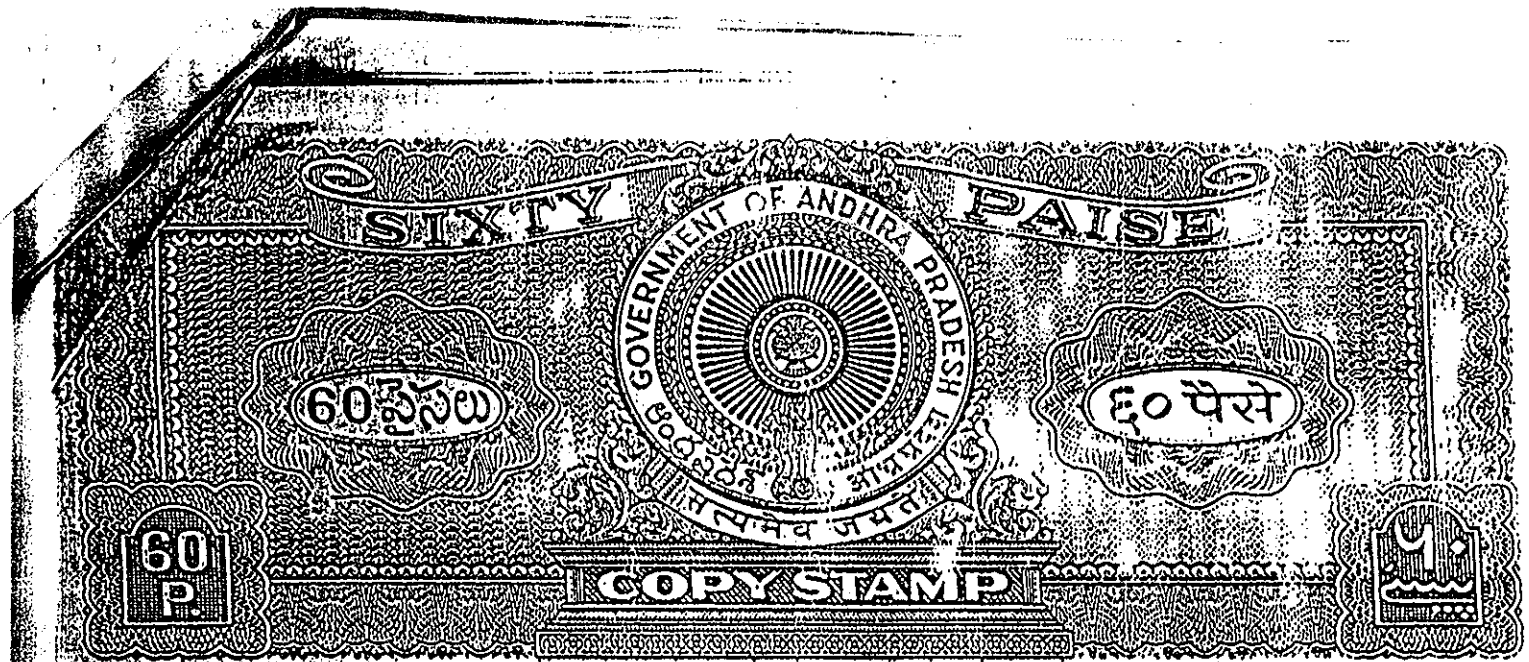
(Respondents San'7 added as L.Us. of respondent No.3. (deft.3) as per order dated 20.6.70 in I.A. 243/70

8. Mirza Ali Husain s/olate Farooq Ali Mirza age 38 years, occupation business r/oH.No.22-5-987, Irani Galli, Hyderabad.

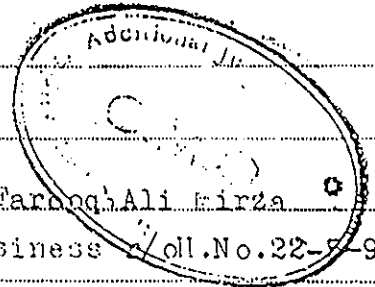
9. Mirza Ali Hasan s/olate Farooq Ali Mirza age 40 ears, occupation business, r/oH.No.22-5-987, Irani Galli, Hyderabad.

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10. Rahat Ali Mirza s/olate Farooq Ali Mirza
ageⁿ 28years, occupation business /oll.No.22-5-987
Irani galli, Hyⁿerabaⁿ.

11. Munawar Begum ⁿ/olate Farooq Ali Mirza w/o Abbas
ali ageⁿ 30years, occupation household, r/o.
H.No.23-1-302, Kotla Alijah, Hyⁿerabaⁿ.

12. Sakina Begum ⁿ/ola te Farooq Ali Mirza w/o
Akka Ali, ageⁿ 18years, occupation household,
r/c .No.23-1-362, Kotla A lija h, Hyⁿerabaⁿ.

13. Basheerunnisa w/olate Farooq Ali Mirza
ageⁿ 56years, household r/o.H.No.22-5-987, Ira-
nigalli, Hyⁿerabaⁿ.

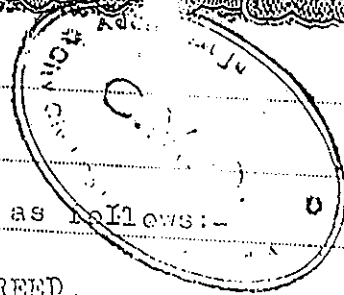
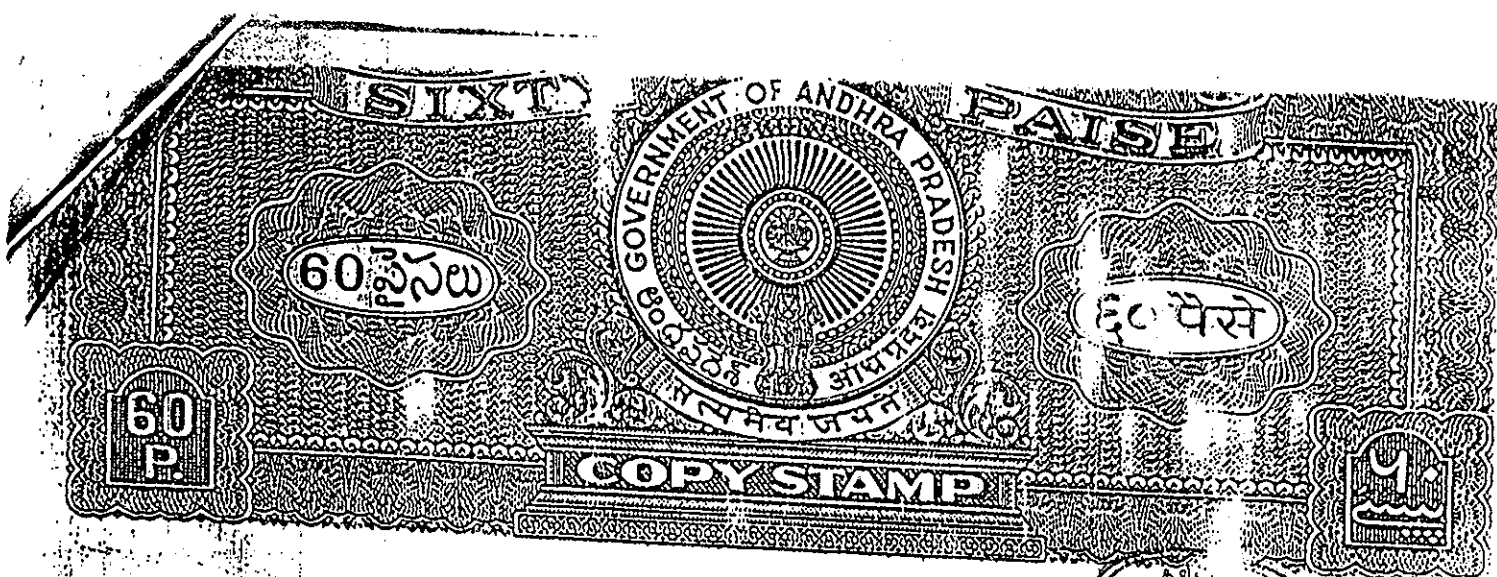


Respondents/Defendants/Lrs.
(respondents Nos. 8 to 13 as Lrs. of respondent
No. 6 as per order dated 24.3.72. in I.A. 77/72.

Claim: For final decree for partition and se-
perate possession of plaint A schedule property
and for mesne profits of Rs.20500/-towards the
share of the plaintiffs in terms of the commi-
ssioner's report.

The plaintiffs valued the plaint A schedule
property to the extent of their shares at Rs.20,650/-

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court hath passed a final decree as follows:-

IT IS ORDERED AND DECREED,

a). That the building bearing municipal No.1-5-16 with appurtenant site of 840sq.yards as indicated in the commissioner's plan as plot 'H' be sold in public auction in which the sharers shall have the preferential right to bid and purchase the same.

b). It is further ordered that out of the sale proceeds of the aforesaid building the first plaintiff and the 2nd plaintiff are entitled to 1/16 and 14/40 shares, respectively.

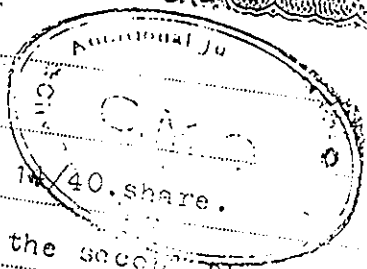
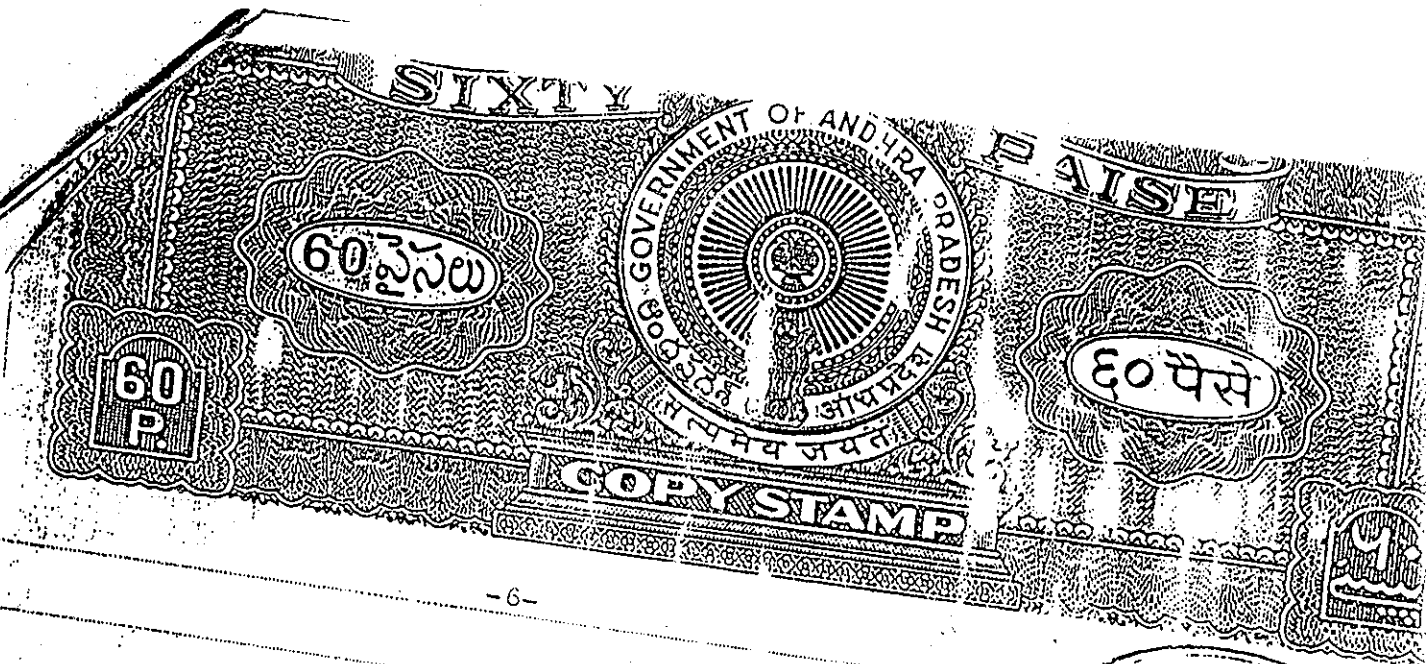
c). It is further ordered that the vacant site of plot 'G' measuring 50 square yards and plot 'J' measuring ^{x 747} 474 sq.yards, and 5 square yards of plot 'K' (after deducting 400sq. yards being the share of the second plaintiff) be and is hereby allotted to the 1st plaintiff towards her 1/8th share.

d). It is also further ordered that the vacant site of plot 'F' measuring 1853.sq.yards, and 400sq.yard in 400.sq.yard of plot 'K' be and is hereby allotted to the 175wer'sggreont.



The figure at Para (c) in line no 3 the figure corrected copy of the dt. 22.4.74 m 1.4.47/74 C.M.O.

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the second plaintiff to have his 1/40 share.
e). That the first plaintiff and the second plaintiff, shall be entitled to separate possession to the extent of their respective shares in the vacant site of aforesaid plots, as indicated, and a copy of the commission's plan annexed to the final decree.

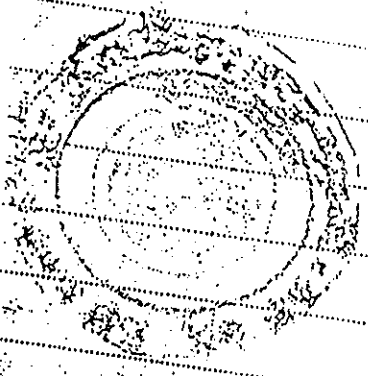
f). It is further ordered and decreed that the defendants do pay to the first plaintiff a sum of Rs. 3421.87 towards them and profits of a schedule property describe hereunder.

g). That the respondents (defendants) do also pay to the second petitioner (second plaintiff) a sum of Rs. 11,056-50 on account of mesne profits of a schedule property describe hereunder.

h). It is further ordered and decreed that the defendants, do pay to the plaintiff's a sum of Rs. 3342.00 towards the proportionate costs of this final decree.

Given under my hand and the seal of the court this the 16th day of March, 1974.

175 words. Second Adl. Judge, City Civil Court, Hyderabad.
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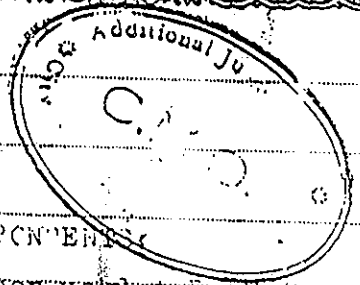
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COSTS OF FINAL DECREE

FOR PETITIONERS:

FOR RESPONDENTS:

1. stamp on petitions Rs. 3-00 stamp on vakalat Rs. 2-00

2. vakalat Rs. 0-00

3. exhibits nil

4. Pleader's fee

on Rs. 20500/-

senior-junior Rs. 1415-00

Rs. 471-66

F.C. & M.C. not filed by the respondents.

5. commissioner's fee Rs. 1300-00

6. service of process Rs. 59-90

7. stamp (court fee)

paid on mesne profits

Rs. 14,478.37

Rs. 1174-30

Total Rs. 4,425.86 Rs. 2.00

proportionate costs Rs. 3342-00

Sd/- Secy. A. J. S.

PLAINT "A" SCHEDULE PROPERTY

Bangalore No. 1-5-16, an land situated at Mnsheeraba

Hyderabad bounded by

East: Land belonging to Abdul Aziz.

West: cement road.

North: Public Hospital.

South: open land (Plaint B's schedule land).

Sd/- Secy. A. J. S.

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