

1	Provision under which the application is filed	U/o 22 Rule 4, U/o 22 Rule 9 of CPC and Section 5 of Limitation Act.
2.	Relief sought for	Bring Lrs of Defendant No. 2
3.	The date on which the application is filed.	23-11-2024
4	Number of application.	IA No. 6 to 8
5	The date on which the objections are filed by different opponents	18-12-2025 no objection
6.	The date on which the orders were passed on the said application.	18-12-2025

COMMON ORDERS ON I.A No. VI TO VIII

These I.A.'s have been filed by the plaintiff counsel U/o 22 rule 4 of CPC to bring the legal representatives of deceased defendant No. 2(a) to (e) and U/o 22 rule 9 CPC set aside the abatement order and to condone delay U/ sec 5 of limitation Act.

2. In the affidavit it is stated that, the deceased defendant no.2 by name Late Khasimsab died on 12-06-2024 and That the deceased defendant no. 2 has left 4 children survived

they are necessary parties to be brought on record. There is delay of 2 months 22 days in filing the IA and to bring L.Rs of deceased defendant No. 2(a) to (e). But the plaintiff counsel was not aware of the fact of death. Hence prays to allow the IA's

3. The applicant have not filed objection to the Ias.
4. Heard both side counsel.
5. The following point arise for my consideration they are as follow;

1. Whether all the I.A's deserved to be allowed?

2. What order ?

6. My answer to the above points are;

Point No.1 : Affirmative.

Point No.2 : As per order.

REASONS

7. **Point No 1 :-** This suit is filed by plaintiff for the relief of Permanent injunction. That deceased defendant no.2 by name Late Khasimsab died on 12-06-2024 and That the deceased defendant no. 2 has left 4 children survived they are necessary parties to be brought on record. There is delay of 2 months 22 days in filing the IA and to bring L.Rs of deceased defendant No. 2(a) to (e), but due to lack

of information the defendant No. 2. LR's were not brought on record in time. There is delay. The said delay has been satisfactorily explain in the affidavit. It will not cause prejudice to the defendant. The right to sue survives to the LR's of the defendant No. 2. If the IA's are allowed no harm injury would cause to the other side. Accordingly I answer to the Point No.1 is in the Affirmative.

8. **Point No.2:-** For the above said reasons the following:

ORDER

The I.A. No. VI to VIII filed by the plaintiff counsel are hereby allowed. Abatement order against deceased defendant No. 2 is set aside. The L.Rs. of deceased defendant No. 2(a) to (e) are permitted to come on record.

Call on for amendment of cause title and amended plaint. Sri. B.S. Advocate filed power to D-2(B) to (E). D-2(A) is dead her LRs are already on record.

For amended plaint Call on: 14-01-2026.

Sd/-
Civil Judge and JMFC
Devadurga

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