

O.S.NO.6785/2016
ORDER ON I.A.NO.IV

This application is filed u/O 6 R17 of CPC by plaintiff seeking to incorporate para No.22A to 22H and to seek additional reliefs a(i) to a(iv). I have heard BNJ advocate for the plaintiff and learned advocates representing the defendants. At this stage itself I place it on record that none of the defendant has taken pain to contest the IA by filing his counter.

This is a suit for declaration and for permanent injunction. As evident from the order sheet already issues are framed and matter is set for hearing. At this stage making additional allegations against the defendants No.1 to 4 through proposed amendment, the plaintiff seeks additional reliefs. On going through the proposed amendment and affidavit of the plaintiff I am convinced that the additional pleading is in consonance with the plaint pleading on record and also the reliefs sought. Moreover still trial has not commenced. Looking to the complexity of the litigation, to avoid multiplicity of proceedings and to

decide the matter once for all and effectively, I am inclined to allow the IA. However looking to the stage at which this application is filed and the additional work it entails to all, in order to dissuade such practice henceforth I am of the opinion that some costs needs to be imposed. Accordingly I proceed to make the following

ORDER

I.A.No.4 is allowed on costs of Rs.1000/- payable to DLSA, Bangalore Urban.

*Plaintiff to carry out amendment and furnish amended plaint copy and also **additional valuation slip with additional court fee if any.***

(RON VASUDEV)
III Addl.CC & SJ, B'lore