

The counsel for plaintiff submits that I.A.III has been restored. However, after the dismissal of the I.A.III for default, plaintiff had filed I.A.V for similar relief sought in I.A.III. I.A.V has been allowed by this court. Therefore, restoration of I.A.III would serve no purpose and the same has to be disposed off as it has become redundant.

2. I have perused the order sheet. Plaintiff had filed I.A.V under Order VI rule 17 of CPC seeking amendment of plaint. Plaintiff had also filed I.A.III for the same reliefs. When I.A.III has been dismissed for default, it appears that plaintiff had filed I.A.V for amendment. As per the order dated 02.01.2024, I.A.V has been allowed. Therefore, restoring I.A.III would serve no purpose. As a result, I.A.III is dismissed as does not survive for consideration.

3. The learned counsel for plaintiff would also submit that he had filed I.A.VI under Order I rule 10 of CPC. Notice to proposed defendants were served. Proposed defendant No.2 had appeared before the court through an advocate. However, he had not filed objections to the application. The proposed defendant No.3 was also served, but he has not appeared through

advocate. Since no objections are filed, I.A.VI has to be allowed.

4. It appears that proposed defendants are served with notices. Proposed defendant No 2 has appeared but not filed objections and proposed defendant No 3 has not appeared. Heard the learned counsel for the plaintiff on I.A.VI.

For orders.

Call on 18.12.2024.

Sd/-

**C/c III Addl. C. J. & JMFC,
Belagavi.**