

06-08-2025:

ORDER ON IA No.5

IA No.5 is filed under Section 151 of CPC by the defendant Nos.1 to 3 praying to club the present suit with O.S. No.84/2023 pending on the file of this court.

In the affidavit filed in support of the application, it is submitted that the present suit is filed by the plaintiff for the relief of partition and separate possession in respect of suit property bearing R.S. No.372/1 situated at Bailhongal. It is further submitted that the defendant No.4 and 7 in the present suit have also filed O.S. No.84/2023 for partition and separate possession in respect of same suit property. Since both the suits are related to the same subject matter involve substantially the same parties and issues. It is prayed that both the suits be tried together to avoid conflicting the decision, save the judicial time and cost of litigation to the parties.

Heard. Perused the records.

It is not in dispute that both the suits pertains to the same property and involved, common questions of law and facts. In order to avoid conflicting the judgment and in the interest of justice and convenience of all the parties, this court finds it just and proper to club both the suits and tried them together. So, this court deems fit to pass the following;

ORDER

IA No.5 is filed under Section 151 of CPC by the defendant Nos.1 to 3 is hereby allowed.

In the result, the present suit is ordered to be clubbed with O.S. No.84/2023. Both the suits shall be tried together.

Call on for cross of PW.1 by 10-09-2025.

Senior Civil Judge,
Bailhongal

