

ORDER ON IA No.I & II

The present application is filed by the plaintiff No.3 U/o 1 rule 10 of CPC seeking to implead the proposed plaintiff No.8(a) as plaintiff No.8(a) and filed IA No.II U/o 7 rule 14 of CPC seeking permission to produce documents.

2. The plaintiff No.3 has filed the present application to implead proposed plaintiff No.3(a) as plaintiff No.3(a), contending that plaintiff No.8 expired on 28.12.2025 during the pendency of the suit. The plaintiff No.8 has executed will in favor proposed plaintiff No.8(a). Hence, it is necessary to implead the proposed defendant No.8(a) in the present suit.

3. Shri. CSC advocate has filed power for proposed plaintiff No.8(a) also filed application seeking permission to produce document i.e. will, RTC and death certificate.

4. The defendant submitted no objection to allow the application.

5. Heard. Perused records. The plaintiff has filed suit seeking partition and separate possession of the suit property. During the pendency of the suit, plaintiff No.8 reported dead. The present application is filed to implead proposed plaintiff No.8(a). The proposed plaintiff No.8(a) claiming that, plaintiff No.8 has executed will in his favour. The right to sue survives in favor of the proposed plaintiff No.8(a), who is claiming share in the property of plaintiff No.8 by virtue of will. The defendant has not filed objection. Hence, I am of the opinion that the application seeking to implead proposed plaintiff No.8(a) as plaintiff No.8 and to produce documents are deserves to be allowed. Hence, the following:

ORDER

The IA No.I filed by the plaintiff U/o 1 rule 10 of CPC seeking to implead the proposed plaintiff No.8(a) as plaintiff No.8(a) and IA No.II filed U/o 7 rule 14 of

CPC seeking permission to produce documents are hereby allowed.

The proposed plaintiff No.8(a) is impleaded as plaintiff No.8(a).

The documents are taken on records.

To carryout amendment and to file amended plaint by 27.03.2026.

Sd/-

**I Addl. Civil Judge and JMFC
Bailahongal.**