

DATE : 18-4-2016

OS No.72/15

ORDERS ON I.A. 4,5,6

A.P. adv. files these IAs for bring LR's of the deft No.9 on record, to set aside abatement order to bring L.R.s on record and to condone delay for bringing L.R.s of deceased on record.

Sri. KBK adv. files power for LRS of deceased D9. He submitted that IAs may be allowed.

Heard the arguments.

It is contended that in the month of December 2015 deft No.9 was dead. The plaintiffs recently came to know about it. Earlier to that the plaintiffs do not know about the death of the deft No.9. Therefore there is delay for bringing L.R.s of the deceased on record. It is not intentional one. Prays to allow I.A.s.

For the reasons stated in the accompanying affidavits and in the interest of justice if the I.A.s are allowed no hardship would cause to the other side. It would help to the court to determine the case on hand on merits with giving an opportunity to the all parties to the proceedings. Hence in the interest of justice I proceed to pass following:

ORDERS

I.As. No. 4,5,6 U/o 22 Rule 3, U/o 22 Rule 9 of C.P.C. and U/sec. 5 of the Limitation Act are allowed on costs of Rs.250/-.

Abatement order is set aside.
Delay is condoned.

Case is posted for Amendment of
Cause title of plaint.

Call on : 26-4-2016.

Senior Civil Judge, Hukkeri