

O.S. No. 871/06

13-09-2021

Plaintiff's counsel furnished memo along with published news paper showing substituted service of notice of I.A. No. 4 on the proposed defendant No.5. The proposed defendant No.5 called out, absent.

Orders on I.A. No. IV

The plaintiff files I.A. No. 4 U/O. 1 Rule 10(2) R/w. Sec.151 of C.P.C. seeking impleading of proposed defendant No.5. The said notice is served by way of paper publication and the proposed defendant No.5 remains absent.

In the affidavit annexed to the I.A. No. 4, the plaintiff has contended that, the proposed defendant No.5 has purchased the portion of the property from the defendants No.1 to 3 and defendant No.4 as such, he is also a necessary party. Since the proposed defendant No.5 did

not appear before the Court to file any objections to the I.A. No. 4 in spite of substituted service of notice and therefore, the Court proceeds to pass the following;

ORDERS

I.A. No. IV is allowed.

Plaintiff shall amend the plaint by showing defendant No.5 in the suit and plaintiff shall take the suit summons to the defendant No.5 by furnishing necessary P.F., copies in the office.

Returnable by: **25-10-2021.**

**Prl. Senior Civil Judge & J.M.F.C.,
Devanahalli.**

