

ORDER ON I.A. No.6 FILED UNDER ORDER I RULE 10 OF CPC

The present application is filed by the applicants under Order I Rule 10 of the Code of Civil Procedure seeking permission to come on record as co-defendants in the present suit.

It is averred in the application that the plaintiff has filed the present suit for partition and separate possession of the suit schedule properties. It is stated that the plaintiff, defendants and the proposed applicants are the children of late Sri. Munisonappa and are members of the same joint family. It is further contended that the proposed applicants are also having right, title and interest in the joint family properties and the plaintiff has intentionally not impleaded them as parties to the suit.

It is contended that since the rights of the proposed applicants are involved and the relief sought in the suit would directly affect their interest, they are necessary and proper parties for complete adjudication of the dispute. Hence, they have sought to be impleaded as co-defendants.

The learned counsel for the plaintiff submits that he has no objection to allow the application.

Heard the learned counsel and perused the records.

The suit is one for partition and separate possession. In a partition suit, all persons having an interest in the joint family properties are required to be before the Court so that the dispute can be effectively and completely adjudicated and the decree passed would bind all concerned parties.

In the present case, the proposed applicants claim to be joint family members and assert their right and interest in the suit properties. Their

presence appears to be necessary for proper adjudication of the matter and to avoid multiplicity of proceedings.

Further, the plaintiff has no objection for impleading the proposed applicants as co-defendants.

Therefore, this Court is of the opinion that the proposed applicants are necessary and proper parties to the proceedings.

*Accordingly, the application filed by the applicants under Order I Rule 10 of CPC is hereby **allowed**.*

*The proposed applicants are permitted to come on record as **co-defendants** in the present suit.*

The applicants shall carry out necessary amendments in the cause title and file amended plaint copies, if required. Put up for A/plaint by 4.07.2026

*(Dictated to the Stenographer on computer, typed by her, revised, corrected and then pronounced by me in the open Court on this the **12th day of June, 2026.**)*

Sd/-

**Pri. Senior Civil Judge & J.M.F.C
Devanahalli.**