

## **ORDERS ON I.A No.XIV**

Plaintiffs have filed I.A No.XIV under Order 1 Rule 10(2) R/w section 151 of CPC to implead proposed defendant No.17 in this case.

2. The plaintiff No.9 (c) has sworn to an affidavit in support of this I.A and contended that proposed defendant is his sister and his father died on 21.08.2022 due to ill health. The proposed defendant No.17 is not in good communication with the LRs of plaintiff No.9 and she has not responded at the time of filing LR application. Hence, it is just and necessary to implead proposed defendant who is the LR of plaintiff No.9 for the proper adjudication of the matter in dispute.

3. Notice on I.A No.14 issued to proposed defendant returned with a shara as 'refused' , the said service was held deemed service and since she remained absent, objection to I.A No14 was taken as nil.

4. Heard perused the record and found that this is a suit for partition and plaintiff No.9 died during the pendency of the suit and her LRs have come on record as plaintiff No.(a) to (d) but due to communication gap the proposed defendant was not secured. Since proposed defendant is LR of plaintiff No.9, she is proper and necessary party to the suit. Hence, I proceed to pass the following:

**ORDER**

**I.A No.XIV filed by the plaintiffs under order 1 Rule 10(2) R/w Section 151 of CPC is hereby allowed.**

**Proposed defendant by name Smt. N. Rukmini is hereby impleaded as defendant No.17.**

**Plaintiff is permitted to carry out amendment and furnish amended plaint.**

**Call on.25.07.2024.**

**(SHILPA.H.A)**

**Senior Civil Judge & JMFC  
Doddaballapura.**