

O.S.NO.129/2017

**ORDER ON I.A FILED BY THE PLAINTIFF
UNDER ORDER 1 RULE 10(2) R/W SEC.
151 OF CPC ON 17.04.2018.**

The plaintiff filed this application to implead the proposed defendant No.7 in this suit.

The plaintiff in his affidavit submits that, the defendant No.2 appeared before this Court through his counsel and filed his written statement. In his written statement he clearly stated that, he sold the suit schedule property to the proposed defendant No.7. Therefore, he is very necessary party to dispose of the case. Therefore, he prayed for allowing the application.

After filing application this Court issued I.A. Notice to the proposed defendant No.7. The same is served to his wife. The said notice held sufficient service of notice and he placed absent.

Perused the case file the plaintiff filed this suit for relief of restraining the defendants not to sell the "B" schedule property to any other persons and not to interfere to utilize the pathway as showed in the map. The defendant No.2 submits that, he sold the suit schedule property to the proposed defendant No.7. Therefore, this Court come to conclusion that, the said defendant No.7 is necessary party to dispose of the case. Therefore, I proceed to pass the following:

ORDER

The application filed by the plaintiff U/O 1 Rule 10(2) R/w Sec.151 of CPC is hereby allowed.

The plaintiff is permitted to bring the proposed defendant No.7 on record, for amendment of plaint and submit the amended plaint. Call on:

(N.B. SHAIKH)

Prl. Civil Judge and JMFC,
Hiriyur.