

ORDER ON IA.II

The advocate for plaintiff has filed I.A.No.II U/o XXII rule 4 of CPC, to seeking permission to bring the legal representatives of deceased defendant on record, in the interest of justice and equity.

Upon the service of notice of I.A.No.II, the proposed defendant No.1(a) to (d) have appeared through their advocate and submits no objection to allow the I.A.No.II.

Heard the counsel for plaintiff and perused the materials available on record.

On perusal of the records, the plaintiff has filed IA No.II U/o XXII rule 4 of CPC., to bring the legal heirs of defendant No.1. In the accompanying affidavit to the IA.No.II, the plaintiff has stated that even after death of defendant No. 1 the right to sue survives. Hence, filed the IA.No.II to bring the LR's of defendant No.1 on record.

Since, there is no objections or dispute with regards to the legal heirs of defendant No.1 is concerned, as such the IA.No.II is liable to be allowed. Hence, this Court proceed to pass the following;

ORDER

The IA.No.II filed by the plaintiff U/o XXII rule 4 of CPC is hereby allowed and LR's of defendant No.1 have been impleaded as defendant No.1(a) to (d) to the suit.

***The plaintiff is hereby directed to
amendment the plaint and to furnish
amended plaint.***

For amendment and steps.

Call on: 06.08.2019.

***Addl.Civil Judge & JMFC.,
Hosadurga.***