

### **ORDER ON IA NO.1**

The plaintiff has filed interlocutory application No.1 Under Order 6 Rule 17 of CPC seeking amendment of plaint by adding the another property as Item No.11.

An opportunity has been given to the defendant to file his objection. But he has not filed objection to IA No.1. Hence, this court taken as objection not filed.

Heard argument on IA No.1.

It is notice that, the present suit is filed by the plaintiff for the relief of partition and separate possession and the present case is at the stage of plaintiff evidence. In the present suit impleading all the properties is

necessary. The plaintiff at the time of filing the suit as left the property. In the affidavit it is contended that, the application Item No.11 property bearing Sy.No.35 measuring 39 guntas situated at Channenahalli Village, Birur Hobli, Kadur Taluk is the joint family property and the said property is a arecanut garden property. If the property not added the plaintiff will be put to lot of hardship. Hence, this court is of the opinion that, if the IA is allowed it will not caused any hardship to the defendant. It is just and necessary to allow the application in the interest of justice. Hence, I proceed to pass the following:

**ORDER**

I.A.No.I filed by the plaintiff  
U/order 6 Rule 17 is allowed on cost of  
Rs.100/-.

The plaintiff is permitted to amend the plaint and furnish amended plaint within 14 days.

To furnish amended plaint by 01.02.2024.

Sd/-

**I Addl. Civil Judge & JMFC.,  
Kadur.**