

COMMON ORDERS ON IA NO.II to IV

The present applications are filed by the applicant/ legal heirs of petitioner No.3 under Order 22 rule 3 R/w Section 151 of CPC along with Order 22 Rule 9 of CPC and Section 5 of Limitation Act to bring them as legal representatives/ heirs of the deceased petitioner No.3 by name Lakshmi W/o Shanthu on record by condoning the delay and setting aside the abatement in filing the same.

2. In support of the present applications, the applicant/ legal heirs of petitioner No.3 have filed the affidavit wherein contended that the petitioner No.3 has died on 15.08.2025. Further legal heirs of petitioner No.3 contends that the proposed petitioner No.3(a) to (d) are the children of petitioner No.3 and they are the sole legal heirs of the petitioner No.3 and prays to permit them to come on record as legal heirs of petitioner No.3. Hence they requested to allow the application.

3. On the other hand, learned counsel for respondents submits no objection to the present application.

4. Heard and Perused.

5. This is a final decree proceeding with respect to share allotted in OS No.127/2020. When the matter has been posted for issuance of notice to the respondents, the petitioner No.3 got reported dead on 15.08.2025. The death certificate produced in this regard to disclose the same. The present applications came to be filed on 12.02.2026 wherein it shows delay of 6 months delay in

filing the same. Even though there is a delay in filing the present application, the present petition being one with respect to immovable property on which the legal representative/ heir of petitioner No.3 claims the ownership and the right to sue survives even on the LRs of deceased petitioner No.3. Under this circumstances, this Court is proceeds to pass the following:

ORDER

I.A. No. II to IV filed by the petitioners are hereby allowed.

Applicants are permitted to come on record as LRs of petitioner No.3 they shall also carry out amendment of cause title to the petition in this regard.

To carry out amendment and to file amended petition by: 23.04.2026.

Sd/-
**C/C Prl. Civil Judge & JMFC,
Mudigere.**