



**IN THE COURT OF THE SENIOR CIVIL JUDGE &
J.M.F.C. N.R.PURA, ITINERATE AT KOPPA**

Dated this the 30th day of October, 2025

: PRESENT :

SRI. RAGHUNATHA GOWDA K.T. *B. Com., L.L.B.*

Senior. Civil Judge & J.M.F.C., N.R.Pura, Itinerate at Koppa

O.S. No.2/2024

- Plaintiff** :
1. Smt. Sharada, W/o. Raju,
D/o. Kantu Poojari,
Aged about 66 years,
R/o. Kuluru, Makkikoppa,
Jayapura Hobli.
 2. Smt. Sumitra,
W/o. Obaiiah Poojari,
D/o. Kantu Poojari,
aged about 63 years,
R/o. Danyashree Nivasa,
Kariyakallu, Soral, Miyar Village,
Karkala Post and Taluk.
 3. Smt. Padmavathi @ Pushpa,
D/o. Kantu Poojari, W/o. Mariya,
aged about 55 years,
R/o. Makkikoppa, Jayapura,

Plaintiff No.1 to 3 are represented by
their GPA Holder Smt. Shobha,
D/o. Sharada, W/o. Mani,
Aged about 47 years,



R/o. Makkikippa Village,
Jayapura Post, Koppa Taluk.

(By Sri. G.M.V., Advocate)

V/s

Defendants :

1. Sri. K. Dayananda,
S/o. Kanthu Poojari,
Aged about 67 years,
R/o. Kuluru Post,
Makkikoppa Village,
Jayapura Post, Koppa Taluk.
2. Sri. K. Raghunatha,
S/o. Kanthu Poojari,
Aged about 56 years,
R/o. Kuluru Post,
Makkikoppa Village,
Jayapura Post, Koppa Taluk.
3. Smt. Sunanda,
W/o. Obaiah Poojari,
D/o. Kanthu Poojari,
Aged about 73 years,
R/o. Flat No.3,
Under Ground,
Ektha Society,
Near Devidayal Garden,
B.P. Cross, Road No.2,
Mulund West, Mumbai.
4. Sri. Anil, S/o. Dayananda,
Aged about 43 years,
R/o. Kuluru, Jayapura Post,
Koppa Taluk.



5. Sri. Sunil, S/o. Dayananda,
Aged about 39 years,
R/o. Kuluru, Jayapura Post,
Koppa Taluk.
6. Sri. K.L. Sringshwar Rao,
S/o. P. Swamy Rao,
Aged about 65 years,
R/o. Kuluru, Jayapura Post,
Koppa Taluk.
7. Managing Trusti of
Sri. Sathya Sai Saraswathi
Educational Trust, Jayapura,
Koppa Taluk.
8. Sri. Ashwath,
S/o. M.M. Chandrashekar,
Major in age,
R/o. Kuluru Village,
Jayapura Post, Koppa Taluk.

(Defendant No.1, 4 and 5 are represented by Sri. P.T.D., Advocate,
Defendant No.6 and 7 are represented by Sri. K.R.S., Advocate,
Defendant No.9 to 11 are represented by Sri. M.H.N., Advocate,
Defendant No.2, 3 and 8 are placed ex-parte)

I.A. No.III

Applicant/Plaintiff : Smt. Sharada
V/s
Opponent/Defendants : Sri. K. Dayananda

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ORDERS ON I.A. No.III

Plaintiff counsel filed this application under order 1 Rule 10(2) of C.P.C. seeking permission to impleaded the proposed defendants in this suit as defendants in the interest of justice.

2. It is stated in the affidavit of the GPA Holder of plaintiff filed the suit against defendants for the relief of partition and separate possession of the suit schedule property, in the written statement of defendant No-5 taken contention that the land bearing Sy.No.51 to extent of 37 guntas, 2.12 guntas and 11 guntas in Sy.No.55 are sold in favour of proposed defendants and they are necessary and proper party to adjudicate the matter and if the application is allowed no loss or hardship caused to the defendants. Hence, they prays to allow this application.

3. Per contra, after issuance of notice the proposed defendants appeared through their counsel and filed objection to said application contended that application filed by the plaintiffs is not maintainable either in law or facts and the proposed defendants are not necessary parties to this suit. Hence they prays to reject the said application.

4. Heard learned counsel for plaintiffs and defendants and perused the materials on record.



5. The following point arises for my consideration:

- i) Whether the application filed by the GPA Holder of plaintiff deserves to be allowed?
- ii) If so, what order?

6. My answer to the above points are as follows :

Point No. 1 : In the Affirmative.

Point No. 2 : As per final order
for the following

REASONS

7. **POINT No.1** :- The plaintiffs are filed this suit against the defendants for relief of partition and separate possession. I have gone through the entire materials available on record the proposed defendants are purchaser of land bearing Sy.No.51 to extent of 37 guntas, 2.12 guntas and 11 guntas in Sy.No.55 and they are substantial right over the suit property and the proposed defendants are very much necessary and proper parties to adjudicate the matter. Further moreover in order to avoid multiplicity of proceeding between the parties and also the court will comes to proper conclusion if the application is allowed no loss or harm caused to the other side and this court is of considered opinion that, the proposed



defendants are proper and necessary party to this suit. Accordingly aforesaid point for consideration is answered in the 'Affirmative'.

8. **POINT No.2**:- In view of my findings on Point No.1, I proceed to pass the following :-

ORDER

I.A. No.III filed by the GPA Holder of plaintiff under Order 1 Rule 10(2) of C.P.C. is hereby allowed and permitted the proposed 9 to 11 are to contest the suit as defendant No.9 to 11.

The plaintiffs are permitted to amend the plaint and also furnish the amended plaint.

(Dictated to the stenographer directly on computer, corrected by me and then pronounced in open court on this **30th day of October, 2025**)

Sd/-

**(Raghunatha Gowda K.T.)
Senior Civil Judge & JMFC,
N.R.Pura Itinerate at Koppa.**