

**IN THE COURT OF THE CIVIL JUDGE AND ADDITIONAL
J.M.F.C., AT TARIKERE**

Present : SMT.PAVITHRA.M.D, B.A., LL.B.,
Civil Judge & Addl.JMFC. Tarikere.

C.Misc.No.4/2013

Dated: 13-11-2020

ORDER ON IA

The petitioner has filed this application under Sec.151 of CPC to club the present petition along with C.Misc.No.5/2013.

2. It is averred in the affidavit annexed to the application that, he filed the present petition claiming mesne profits as per the preliminary decree passed in OS.No.156/1989 and the respondents are common in the present petition and also in C.Misc.No.5/2013. Hence, in order to avoid repetition in producing the documents in all the cases, the above said misc. cases be clubbed with the present case. Hence, this application.

3. The respondents have submitted no objection to the application.

4. Heard on IA.

5. Perused the application in the backdrop of materials available on record. The petitioner has filed the present petition seeking mesne profits as per the preliminary decree passed in OS.No.156/1989. The petitioner has come up with the present application to club the present petition along with

C.Misc.No.5/2013 on the ground that, all the petitioners have filed the above said cases claiming mesne profits as per the preliminary decree passed in OS.No.156/1989. There is no resistance by the respondents to club the present case along with C.Misc.No.5/2013. As rightly asserted by the petitioner, the parties are common in all the petitions and moreover, all the petitions arised out of the judgment and decree passed in OS.No.156/1989. Wherefore, in order to save the precious time of this Court, it is necessary to club the present petition along with C.Misc.No.5/2013. Hence, in the interest of just and to avoid multiplicity of proceedings, I proceed to pass the following:

ORDER

The application filed by under Sec.151 of CPC is hereby allowed.

The present petition is hereby clubbed with C.Misc.No.5/2013 on the file of this Court.

No order as to cost.

Sd/-

**(PAVITHRA.M.D)
CIVIL JUDGE AND
ADDL.J.M.F.C., TARIKERE.**