

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

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

Ex.No.30/2015

Dated this 15th day of March 2019

ORDER ON IA.No.3

The DhRs have filed this application U/Sec.151 of CPC to treat them as LR's of deceased Somashekhar.

2. It is averred in the affidavit annexed to the application that, the husband of the 1st Dhr filed a suit in OS.No.292/2014 before this Court for the relief of specific performance of suit agreement and said suit came to be decreed on 04.03.2015. In the meanwhile, he died on 24.05.2015 leaving behind him the DhRs as his legal heirs. The DhRs have filed this petition for the enforcement of the decree passed in OS.No.292/2014. But at the time of filing the present petition, due to oversight they have not filed the LR application before this Court. Hence, this application.

3. Heard on application.

4. Perused the application in the backdrop of materials available on record. The DhRs have filed sufficient documents to show that, they are the legal heirs of deceased Somashekhar. Further, the reason assigned by the DhRs to treat them as legal heirs of deceased Somashekhar are sufficient. Hence, in exercise of inherent powers conferred upon this Court, I find no impediment to

treat the Dhers as legal heirs of deceased Somashekhar to institute the suit for specific performance in OS.No.292/2014. Accordingly, I proceed to pass the following:

ORDER

The application filed U/Sec.151 CPC is hereby allowed.

Consequently, the Dhers are hereby treated as Lrs of deceased Somashekhar.

Sd/-

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