

**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.

O.S.No.345/2018
Dated this 19th day of July 2019

ORDERS ON I.A

The plaintiff has filed this application U/Or.1 Rule 10 R/w Sec.151 of CPC to bring the proposed defendant as defendant.

2. It is averred in the affidavit annexed to the application that, the plaintiff, the proposed defendant and one Afsar Pasha have entered into a compromise in OS.No.131/2012 wherein the proposed defendant agreed to not to obstruct to use 'B' schedule road. But, during pendency of OS.No.131/2012, the proposed defendant has sold eastern portion of his property in favour of the defendant. Hence, the proposed defendant is a necessary party to the present suit. Hence, this application.

3. The proposed defendant submitted no objection to the present application.

4. Heard on application.

5. Perused the application in the backdrop of materials available on record. The plaintiff has filed the instant suit for

permanent injunction in respect of the suit schedule properties. It is the claim of the plaintiff that, the proposed defendant has sold eastern portion of the suit property in favour of the defendant herein. It is further claim of the plaintiff that, he entered into a compromise along with the proposed defendant and one Afsar Pasha in OS.No.131/2012. Hence, in order to adjudicate the matter effectively, the proposed defendant is a proper party to the present suit. Therefore, in order to meet the ends of justice and to avoid multiplicity of proceedings, I proceed to pass the following:

ORDER

IA filed under Order 1 Rule 10 R/w
Sec.151of C.P.C is hereby allowed.

The proposed defendant is hereby impleaded
as defendant.

To carry out amendment and amended
plaint by

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