

I.A.No.5 filed by the plaintiffs U/O.1 Rule 10(2) of CPC requesting the Court to implead proposed party whose name shown in schedule to the application as defendant No.5 to 7 in present suit.

Advocate for proposed defendant No.5 to 7 and submitted that, no objection to I.A.No.5.

Heard both sides.

Perused the records placed before the Court.

In an affidavit filed in support of the application it is stated that, during the pendency of the suit, defendant No.1 has gifted the property in favour of defendant No.4, in turn defendant No.4 has sold the property in favour of one Santosh, who in turn has sold the property in favour of one Smt.lakshmidevi. Later Smt.Lakshmidevi has sold the property in favoru of one Esmail Jabiulla now document pertaining to suit item No.5 stands in their name, all proposed parties are not parties to the proceedings. Now become necessary and proper parties for the proceedings. Their presence is very

much required for effective adjudication of dispute involved in the suit.

Admittedly suit is one for partition. The plaintiffs himself contending that, proposed party is his father has got right or share in suit schedule properties. Hence presence of proposed party is very much necessary for effective adjudication of dispute involved in this suit.

Hence I proceed to pass the following

ORDER

I.A.No.5 filed by the plaintiffs U/O.1 Rule 10(2) of CPC is hereby allowed.

plaintiffs are permitted to implead proposed party whose name shown in schedule to the application as defendant No.5 to 7 to the suit.

The plaintiffs are directed to carry out necessary correction in cause title of suit by including proposed party as defendant No.5 to 7 and furnish amended copy.

Call on :

Sd/-

Senior Civil Judge
Harihara.