

I.A.No.12 advocate for plaintiff filed application U/O. 1 Rule 10(6) of CPC requesting the Court to permit the plaintiff No.1 to transpose the plaintiff No.2 to the possession of defendant No.8 in the interest of justice.

Plaintiff No.2/proposed defendant No.8 appeared through her counsel, Sri B.P.C. advocate, he has submitted that, no objection to allow an application.

Heard on both side. Perused the records placed before the Court.

In an affidavit filed in support of application it is submitted that, plaintiff No.2 is his sister, plaintiffs and defendants are joint family members recently he know that, the plaintiff No.2 and other defendants are colluded with each others, since from several days of hearing she has not appeared before the Court and not talk with him. It is clearly shows that, the plaintiff No.2 intends to defeat his rights in respect of suit schedule properties, hence it is just and necessary to

transpose the plaintiff No.2 as defendant No.8. Hence prayed to allow the application.

Fact to be noted that, contents of affidavit not denied by other side. In view of relationship between the parties, as suit is one for partition and separate possession, presence of proposed parties is very much necessary for effective adjudication of dispute involved in the suit.

In view of above made discussion, I proceed to pass the following

ORDER

I.A.No.12 filed by plaintiff No.1 U/O. 1 Rule 10(6) of CPC is hereby allowed. No order as to cost.

The plaintiff No.2 is transpose as defendant No.8.

For amendment of plaint.

Sd/-

Senior Civil Judge
Harihara.