

Case called out.

Both parties out.

No representation from either side.

**ORDERS PASSED ON IA FILED BY THE PETITIONER
UNDER ORDER 1 RULE 10 R/w SECTION 151 OF
CPC**

Counsel for the Petitioner filed this IA and prays to implead the proposed Respondent Company as Respondent No.4 in the interest of justice and equity.

2. In support of the IA, Counsel for the petitioner filed Memo of Facts and stated that the Scooter bearing Reg. No. KA-70-H-3959 is insured with the proposed Respondent No.4 and the said policy was in force as on the date of the accident, as such the proposed respondent is a necessary party to this case. Hence prays to allow the IA.

3. Notice on IA was issued to the proposed Respondent. In response of the same, proposed respondent appeared through their advocate but not opted to file the objections to the IA. Thus it clarifies that there is not resistance by the proposed Respondent to the relief claimed by the petitioner in this IA.

4. By considering that the offended Scooter bearing Reg. No. KA-70-H-3959 was insured with the proposed Respondent No.4 and the said policy was in force as on the date of the accident, and taking note of

non filing of objections by the proposed Respondent, this Court opines that the proposed respondent is a proper and necessary party to the proceedings of this case. Petitioner made out grounds to consider the IA & grant the relief as prayed for. With all these discussions, I proceed to pass the following:

ORDER

IA filed by the Petitioner under Order 1
Rule 10 R/w Section 151 of CPC is allowed.

Proposed respondent is ordered to be
added as a Respondent No.4 to this case.
Counsel for the petitioner directed to amend
the petition.

Addl. Senior Civil Judge &
MACT, Puttur.