

OS 133/2016 Dt:31-03-2023

**Order on application filed by the
plaintiff U/O 1 Rule 10 of CPC**

The plaintiff has filed I.A.No.2 under Order 1 Rule 10 of CPC and prays to implead the proposed defendant no.2 to 23 who are the legal heirs of late Kumarayya Hegde and son of defendant no.1.

2. In the affidavit it is stated that, the defendant in his written statement as well as in cross examination has mentioned the names of the legal heirs of Late Kumarayya Hegde who is the son of defendant. Hence, they are necessary parties in this suit. Hence, prays to implead the said persons.

3. Perused the I.A.

4. On perusal of the plaint, plaintiff has filed this suit against the defendants for delivery of possession. Hence, right to sue survives in this case. Hence, it is just and necessary to allow the application as the proposed defendant no.2 to 23 are the necessary parties in this suit. Hence, this Court proceed to pass the following:-

ORDER

I.A. No.2 filed by the plaintiff
under Order 1 Rule 10 of CPC is
hereby allowed.

To carryout amendment and
to furnish amended plaint by
16.06.2023.

Sd/-
Civil Judge & JMFC,
Moodbidri