

ORDERS ON I.A.NO.II

The learned counsel for the defendant filed an application under Order VI Rule 14(a) of CPC, stating that the opponent/plaintiff is residing in the address mentioned therein in the annexed affidavit also averred same facts.

On the other hand counsel for plaintiff filed objections stating that the address shown in the application is the permanent address of the plaintiff and the plaintiff also residing in the suit property. For the service of summons or notice permanent address is to be considered.

For what reason said application is filed by the defendant is not known to this Court, atleast clear reason has to be mentioned in the application, without reason they have filed present application. Moreover, plaintiff also admitted the said address mentioned therein is his address. If really address is not correct as per plaint the course left open to him to amend the cause title of the plaintiff, instead of that the defendant filed the present application, moreover the plaint itself speaks about the address of the plaintiff, the address mentioned

in the present application as well as the plaint are one and the same. Hence, said application filed by the defendant is not maintainable. Hence, there is no sufficient reasons to allow the application. Hence, said application is deserves to be dismissed and I proceed to pass the following :

ORDER

I.A.No.II filed by the defendant under under Order VI Rule 14(a) of CPC is hereby rejected.

sd/-

*I Addl. Senior Civil Judge and JMFC.,
Hubballi.*