

COMMON ORDERS ON I.A. NOS.22 TO 28

Applicant filed IA No.22 under Section 5 of Limitation Act seeking to condone the delay in bringing Lrs of plaintiff No.1 and Nos.23 and 24 respectively under Order 22 Rule 9 and order 22 Rule 3 of CPC seeking permission to bring Lr's of plaintiff No.1. IA No.25 under Section 5 of Limitation Act seeking to condone the delay in bringing Lr's of plaintiff No.3 and Nos.26 and 27 respectively under Order 22 Rule 9 and order 22 Rule 3 of CPC seeking permission to bring Lr's of plaintiff No.3. IA No.28 under Order 22 Rule 4 of CPC seeking permission to bring Lr's of defendant No.2 by name Krishnegowda on record. Perused the contents applications.

Despite service of notice to Lr's of defendant No.2, they have not entered appearance. Counsel for the other defendants filed objections by stating that there is huge delay in bringing the Lr's of plaintiff Nos.1 and 3. The Lr's should have been brought on record within 90 days.

The plaintiffs have suppressed the real facts and filed this application. Therefore, the applications filed by the applicant are liable to be rejected. Hence, it is prayed to reject these applications filed by the applicant.

Heard argument. Perused the document.

No doubt there is delay in bringing Lr's of plaintiff Nos.1 and 3 on record. However this court is of the view that if the applications filed by the applicant are dismissed, they would be deprived of their right to contest the matter and which intern leads to multiplicity of proceedings and delay in disposal of this suit. Therefore, eventhough the defendants have raised several objections, this court is of the view that, all the applications have to be allowed in order to meet the ends of justice and to avoid multiplicity of proceedings. Accordingly this court proceed to pass the following:

:ORDER:

The application i.e., IA No.22 to 28 filed by applicant are hereby allowed.

Plaintiffs are permitted bring Lr's of plaintiff No.1, 3 and defendant No.2 on record.

For amendment of plaint and filing amended plaint.

Civil Judge and JMFC.,
Holenarasipura.