

ORDER ON IA.NO.II

Advocate for proposed respondent
No.15 filed this application U/order 1
rule 10 R/w Sec.151 of CPC., to implead
proposed respondent No.15.

2. The counsel for petitioner filed objections stating that, already preliminary decree is passed in O.S.No.61/2015. Hence, at this juncture the present application is not maintainable and prayed to dismiss the application.

3. Heard on application.

4. The petitioners have filed present petition to draw final decree as per preliminary decree passed in O.S.No. 61/2015.

5. The proposed respondent No.15 in his affidavit annexed to the application stated that, he purchased one of the suit property bearing R.S.No.270/A measuring 3 acres 15 guntas situated at Haveri from defendant No.1 and GPA holder of defendant No.2 on 08.04.2014 for valuable consideration. The plaintiff

behind the back of this respondent filed the suit and he has not been made as party to the suit. So, proposed respondent No.15 prayed to implead him as party to the petition.

6. The present petition is filed by the petitioners for drawing final decree. As per decree passed by this court in O.S.No.61/2015. Hence, I am of the view that proposed respondent No.15 being purchaser of Sy.No.270/A, he is a necessary party in final proceedings. Hence, I am of the view that proposed respondent No.15 being purchaser of suit property is a necessary party to the final decree proceedings. Hence, application filed by the proposed respondent No.15 deserves to be allowed. Hence, I proceed to pass the following...

ORDER

IA.No.II filed by the proposed
respondent No.15 under order 1
rule 10 R/w Sec.151 of CPC is
hereby allowed.

Further petitioner is directed to
carry out necessary amendment in
the cause title of petition.

**For amendment of petition
and supply of amended petition.**

Call on: 12.06.2024.

Sd/- 29.05.2024.

Addl. Senior Civil Judge & JMFC,
Haveri.