

ORDER ON I.A No.4

The Learned advocate for the defendant has filed this I.A.No.4 under section 151 of CPC, seeking permission to file objection to I A No.3 in the interest of justice and equity.

The aforementioned defendant has sworn to affidavit in support of the I.A. wherein he has stated that his non-appearance on the last date was due to being unable to meet his advocate at the appropriate time owing to health issue. Consequently, the Hon'ble court was treated him as absent and considered not filed objection to the said application against plaintiff on 17-02-2026. The absence of the defendant was not intentional due to the reasons mentioned above. Therefore, prayed the IA to be allowed.

The Learned Advocate for plaintiff has submitted no objection to allow the the said I.A.

Heard the Learned Advocate for plaintiff and perused the records with due care.

The plaintiff has filed this suit for the relief of perpetual Injunction against the defendant. The reasons assigned by the defendant appears to be bonafide in nature for his non-appearance before the Court. Moreover, the IA is not resisted by the plaintiff and in view of objection not filed by the plaintiff, the IA is liable to be allowed. Accordingly, I proceed to pass the following:

: O R D E R :

The I.A.No.4 filed by the defendant under section 151 of CPC is hereby allowed on cost of Rs.100/-.

Defendant is hereby permitted to file objection to I A No.3.

Objection to I A No.3 filed by defendant is taken on record.

For hearing on I A No.3

Call on 29-06-2026

Itinerary Civil Judge & JMFC,
Rattihalli.