

ORDERS ON IA NO. II, 29-06-2016

The advocate for defendant No. 4 filed the application under order 9 rule 7 R/w 151 of CPC as IA No. II seeking to set aside the ex-parte order passed against defendant No. 4. In support of the application advocate for defendant No. 4 Shri. M. Chanabasappa filed the memorandum of facts submitted that the defendant No. 4 was entrusted the advocate to file the vakalath on his behalf as such on the date of hearing due to oversight he misplaced the vakalath hence he could not able to file vakalath on behalf of defendant No. 4. In the absence of defendant No. 4 and representation by the advocate this court placed him ex-parte hence this application, to set aside the ex-parte order passed against the defendant No. 4.

Heard the advocate for defendant No. 4 the advocate for plaintiff submitted no objection. Further the advocate for defendant No. 4 submitted due to his in-advertence parties could not be suffered and prays for allow the application. Therefore I found sufficient reason to allow the application hence the following order.

ORDER

The application filed by the defendant No. 4 as IA No. 2 is hereby allowed, ex-parte order passed against the defendant No. 4 is hereby set aside defendant No. 4 is permitted to prosecute the case on merits.

Call on for written statement of defendant No. 4
and objection of defendant No. 3 on IA No. 1 by: 27-07-
2016.

(J. KRISHNA)
Pri. Civil Judge & I JMFC,
Ranebennur.