

ORDER ON IA No.IX

This is an application filed by the plaintiffs U/O 22 Rule 4, 22 Rule 9 of CPC and U/Sec. 5 of Limitation Act.

The relief sought by plaintiffs is in relation to bringing the legal representatives of deceased defendant No.12, 28 and 29.

Accordingly notice on IA No.9 issued to the proposed defendant No.12(a) to 12(c), 28(a) to 28(f) and 29(a) to 29(e) reported as served, they all remained absent.

The death of defendant No.12, 28 and 29 are not in dispute. This is a suit for Partition and Separate Possession. Hence the cause of action survive upon the legal representatives of defendant deceased defendant No.12, 28 and 29. Therefore grounds are made out to allow the application. Hence the following,

ORDER

IA No. 9 filed by the plaintiffs U/O.22 Rule 4, 22 Rule 9 of CPC and U/Sec.5 of Limitation Act is hereby allowed on cost of Rs.1,000/-.

The plaintiffs are permitted to amend the plaint as per description given in the IA No.9 in relation to LR's of deceased defendant No.12, 28 and 29.

**Sr. CJ and JMFC, Shiggaon.
Sitting at Savanur.**

ORDER ON IA No.X

This is an application filed by the plaintiffs U/O 1 Rule 10(2) of CPC.

The relief sought by plaintiffs is in relation to bring the proposed defendant No.30 to 35 as defendant No.30 to 35 in the present matter.

Accordingly notice on IA No.10 issued to the proposed defendant No.30 to 35 reported as served, they all remained absent.

The plaintiffs wanted to implead the proposed defendant No.30 to 35 as defendants in the present matter as to adjudicate the matter and decide the real dispute between the parties. Since there are no counter objections to the application there is no impediment to join proposed defendants as defendant No.30 to 35 in this matter. Hence without going to the other aspects, I proceed to pass the following,

ORDER

IA No.10 filed by the plaintiffs U/O.1
Rule 10 (2) of CPC is hereby allowed.

The plaintiffs are permitted to
amend the plaint as per description given
in the IA No. 10.

For amendment and amended
plaint.

Call on 31-01-2025.

**Sr. CJ and JMFC, Shiggaon.
Sitting at Savanur.**