

COMMON ORDER ON I.A.NO-13 AND 14 FILED UNDER
SECTION 151 OF CPC AND
ORDER 18 RULE 17 OF CPC.

The defendants No-7 has filed the present applications praying to recall the order and permit the defendants No-7 to file his written statement.

2. The applicant/defendant No-7 has contended that, the defendant No-7 is an agriculturist and due to rush of work he has not contacted his advocate for filing the written statement. Now the matter is posted for cross of PW-1. Permitting the defendant No-7 to file his written statement is necessary in the present case. On the said material grounds the defendant No-7 has prayed for allowing the present application.

3. The plaintiff has filed her objections by denying the grounds of the applications. The plaintiff has contended that,

the defendant No-7 has appeared one year back and even after sufficient opportunity he has not filed his written statement. The defendant No-7 is the purchaser of the property during the pendency of the suit. On the said material grounds the plaintiff has prayed for rejection of the present application.

4. Heard the arguments.

5. Perused the records, the plaintiff has filed the present suit for the relief of partition and separate possession against the defendants. The defendant No-7 is the purchaser of the property on 25-10-2022 from the defendant No-2. The defendant No-7 has appeared on 26-10-2024. Hence, considering the grounds of the application and stage of the case and in order to give an opportunity to the defendant No-7 to put forth his case on merits the present applications are required to be allowed on cost and condition.

Hence, IA No-13 and 14 filed by the defendant No-7 are hereby allowed on cost of Rs.500/- and subject to conditions that, he shall co-operate for the early disposal of the present matter.

The WS of defendant No-7 is taken on record.

Additional issues framed.

For further cross of PW-1.

By :

Senior Civil Judge and JMFC,
Afzalpur.