

ORDER ON I.A.NO-7 FILED UNDER

ORDER 1 RULE 10 OF CPC.

The plaintiff has filed the present application for impleading the proposed parties as the defendant No-6 to 10 in the present case.

2. The plaintiff has contended that, the plaintiff has filed the present suit for the relief of partition and separate possession against the defendants. The plaintiff due to lack of knowledge has not impleaded the legal heirs of his deceased sister by name Anasubai in the present suit. The proposed parties are the necessary parties to the present suit. On the said material grounds the plaintiff has prayed for allowing the present application.

3. On issuance of the notice of the application the proposed parties have not appeared and remained absent. The defendants have not filed any objections to 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-1 to 5 have contended that, the plaintiff has not impleaded the legal heirs of the deceased sister of the plaintiff by name Anasubai in the present suit. Hence on considering the materials on record and considering the nature of the suit and considering the status of the proposed parties in the present suit I am of the opinion that, the proposed parties are the necessary parties in the present suit. The plaintiff has made out grounds for allowing the present application. Hence the present application is required to be allowed.

Hence IA No-7 filed by the plaintiff is hereby allowed.

For amendment and amended plaint and steps to the defendant No-6 to 10.

By :

Senior Civil Judge and JMFC,
Afzalpur.