

1.3.2024

Orders on IA No.5 U/O I Rule 10(2) of CPC

The plaintiffs have filed this application U/O 1 Rule 10(2) of CPC and sought to implead the proposed defendant as defendant No.2 in this suit.

2. The plaintiff No.1 has sworn to an affidavit in support of IA and stated that they have filed the suit for partition and separate possession. One property is standing in the name of proposed defendant. Hence he is necessary party to this court. Hence prays to allow the IA.

3. After service of IA notice the proposed defendant has remained absent.

4. Perused the records. Heard arguments.

5. The RTC extract of Sy.No.452/2 shows that the same is standing in the name of proposed defendant. Therefore he is proper and necessary party to this suit. Hence the following:

ORDER

The application filed by the plaintiffs U/O I Rule 10(2) of CPC is hereby allowed.

The proposed defendant is added as defendant No.2 in this suit.

The plaintiffs shall amend the plaint and furnish amended plaint within ten days from the date of this order.

For amendment and amended plaint. Call on 12.3.2024.

Senior Civil Judge & JMFC, Sedam.