

ORDERS ON I.A.No.16, DATED 04.08.2022

The plaintiffs' advocate has filed the above IA U/o 1 Rule 10(2) r/w Sec.151 of CPC., along with supporting affidavit seeking to implead the proposed defendants No.1 & 2 as defendants No.9 & 10 as proper and necessary parties in the present case.

2. In the supporting affidavit, the plaintiff No.3 has deposed that, the plaintiffs have filed the suit for the relief of partition and separate possession. That the suit item No.1 is the ancestral joint family property of plaintiffs and defendants. Hence contends that, as the suit is for partition, the proper parties to be impleaded in the present case. Hence, **prays to allow the above IA.**

3. The proposed defendants have filed the **objections** to the above IA., denying the contentions of the plaintiff.

4. Heard and perused the materials on record.

5. This is a suit filed by the plaintiffs for the relief of partition and separate possession. The proposed defendants being the purchaser and out-sider family of the defendants No.1 to 8 have contended that, the suit item No.1 is self-acquired property of defendant No.1, hence has been purchased by defendant No.8 from defendant No.1, though such a contention is raised the

present suit is filed for the relief of partition whether the suit item No.1 is a self-acquired or joint family property needs to be elicited by putting in the trial. Hence, this Court is of the opinion that, the proposed defendants are proper parties to present case. In view of above discussions and reasons, I proceed to pass the following:

ORDER

IA No.16 filed by the plaintiffs U/o 1 Rule 10(2) r/w Sec.151 of CPC., is hereby ***allowed.***

The impleading proposed defendants are permitted to come on record as defendants No.8 & 9.

The plaintiffs are hereby directed to amend the plaint and to file amended plaint by: / **/2024.**

(LATHADEVI G.A.)

Senior Civil Judge & JMFC, Malur.