

Petitioner absent.

Learned counsel for the petitioner has filed memo with copies of the Bank details, pan card and aadhar card of the petitioner.

Sri SS Advocate has filed vakalath for respondent No.2 along with IA No.II U/o 9 rule 7 of CPC and prays for set aside the exparte order against respondent No.2 passed on 12.10.2022.

Learned counsel for the petitioner submits no objection to IA No.II. Hence, objection to IA No.II is taken as nil.

Heard.

For Orders. Kept by.....

(DEVARAJU H.R.)

*I Addl. Senior Civil Judge & JMFC.,
K.R.Pete*

ORDERS ON I.A. No.II

Learned counsel Sri.S.S advocate for respondent No.2 has filed I.A. No.II U/order 9 rule 7 of C.P.C and prays for set aside the exparte order against the respondent No.2 passed by this court on 12.10.2022.

Perused the I.A. No.II. Reasons stated in the accompanying memorandum of fact are satisfied and bona-fide one. Respondent no.2 shows good cause for his previous non appearance. The respondent No.2 has filed present application at belated stage after

completion of 3 years. Hence, it is fit case to impose heavy cost on respondent No.2. Accordingly, court proceeds to pass the following;

ORDER

IA No.II filed by the Respondent No.2 U/o 9 Rule 7 of CPC is hereby allowed on cost of Rs.2,000/-.

Order passed by this court on 12.10.2022 against respondent No.2 is hereby set aside.

Respondent No.2 is hereby permitted to proceed with the petition.

Respondent No.2 fails to file his written statement within stipulated time. Hence, written statement of respondent No.2 is taken as nil.

(DEVARAJU H.R.)
I Addl. Senior Civil Judge & JMFC.,
K.R.Pete