

COMMON ORDERS ON IA No.9 and 11

IA No.9 is filed by the plaintiffs under order 8 Rule 9 R/w/s 151 of CPC to permit them to file rejoinder statement to the written statement filed by the defendant No.1.

IA No.11 is filed by the plaintiffs under order 8 Rule 9 R/w/s 151 of CPC to permit them to file rejoinder statement to the written statement filed by the defendant No.2.

2. The plaintiff No.1 sworn to similar affidavits to the above applications and stated that the defendant No.1 and 2 with an intention to defeat and defraud the right of the plaintiffs over the suit schedule property have raised false defence in their written statement. The said defence is apparently abuse of process of law. It is very vague and bald. It requires clarifications. Therefore, the plaintiffs are required to file their rejoinder statement to clarify the facts and circumstances for just and fair adjudication of the matter. Hence the above applications are filed to permit the plaintiffs to file their rejoinder statement.

3. The defendant No.1 and 2 have not filed their objections in spite of grant of sufficient opportunity.

4. Heard and perused.

5. The point that arises for my consideration is as follows ;

Whether the plaintiffs have made out sufficient grounds to permit them to file rejoinder statement to

the written statement filed by the defendant No.1 and 2?

6. My answer to the above point is in the **Affirmative** for the following;

REASONS

7. In the affidavits filed to the applicants, it is stated that the defendant No.1 and 2 have raised false defence and it has to be clarified by the plaintiffs. On perusal of the rejoinder statement filed by the plaintiffs along with the present applications, it is forthcoming that pleadings made in the rejoinder statement are clarificatory in nature. The defendant No.1 and 2 in their written statement have claimed counter claims. Therefore, as per the provisions of order 8 rule 9 of CPC, the plaintiffs are entitled to file their rejoinder statement or written statement to the counter claim made by the defendant No.1 and 2. Accordingly, above point is answered in the **Affirmative**. Hence, this court proceeds to pass the following:

ORDER

IA No.9 and 11 both filed under Order 8 Rule 9 R/W/S 151 of CPC are hereby allowed.

Rejoinder statement filed by the plaintiff to the counter claim filed by the defendant No.1 and 2 are taken on record.

For additional issues. Call on
21.04.2026

**I-Addl. Senior Civil Judge & JMFC.,
Maddur.**