

KAMD400000192022



**IN THE COURT OF THE SENIOR CIVIL JUDGE &
MACT, AT MALAVALLI.**

PRESENT: SRI. MAHENDRA. M B.A, LL.B.,
Senir Civil Judge & MACT,
Malavalli.

Dated this 9th day of March 2026

MVC NO. 33/2022

PETITIONER : Smt. Sannamma

-V/s-

RESPONDENT : Sri. Ravi

I.A.No.II

**APPLICANT/
RESPONDENT:**

Sri. Ravi
S/o Late Chowdaiah
Aged about 23 years
R/o Shettahalli Village,
Kirugavalu Hobli, Malavalli Taluk,
Mandya District.

(By Sri A.M.M., Adv.,)

V/S

**OPPONENT/
PETITIONER:**

Smt. Sannamma
W/o Moote Kullegowda
Aged about 58 years

R/o Aladahalli Village,
Kirugavalu Hobli, Malavalli Taluk,
Mandya District.

(By Sri P.S.M.K., Advo.,)

I	<i>Provision under which the application is filed</i>	<i>u/o 14 Rule 5 and 2(2) R/w Section 151 of CPC</i>
II	<i>Relief sought for</i>	<i>Frame the additional issue</i>
III	<i>The date on which the application is filed</i>	<i>23.10.2025</i>
IV	<i>Number of the application</i>	<i>I A No.II</i>
V	<i>The date on which the objection is filed by deferent opponents</i>	<i>08.01.2026</i>
VI	<i>The date on which the orders were passed on the said application</i>	<i>09.03.2026</i>

(Sri. Mahendra M.)
Senior Civil Judge & JMFC.,
Malavalli.

ORDERS ON I.A No.II

The learned counsel for the respondent has filed an I.A. No.II under Order 14 Rule 5 and 2(2) R/w section 151 of C.P.C seeking frame the additional issue.

2. The respondent has filed an sworn affidavit in support of application wherein, the petitioner has filed false petition against respondent. In respect of para No.9 and 10 of written statement, the framing of additional issue is required. **Hence, filed this application.**

3. The learned counsel for the petitioner has filed an objection to application and contended that, the application filed by the respondent is not maintainable under the law the same is liable to be dismissed in limine. The petitioner further contended that, in the affidavit, the respondent not mentioned any reasons. This court already framed the issues. Only during the proceedings, the respondent has filed this application. **Hence, prayed that dismiss the application filed by the respondent with cost.**

4. The following points are arise for consideration of this court:-

POINTS

- 1. Whether the IA No.II filed by the respondent is deserve to be allowed?**
- 2. What order?**

5. Heard the arguments from learned counsels for the parties to the petition.

6. This court has perused the material available on record. The findings of this court in the above points as follows:-

- Point No.1 : In the Negative.**
**Point No.2 : As per the final order
for the following:-**

R E A S O N S

7. **POINT NO.1:-** The respondent has filed this application seeking frame the additional issue regarding para No.9 and 10 of his written statement. The petitioner has filed an objection to application and contended that, the application filed by the respondent is not maintainable and same is deserves to be dismissed.

8. The petitioner has filed this petition against the respondent for the relief of compensation on account of road traffic accident. The respondent was appeared before this court through his counsel on 08.01.2024. On 12.12.2024, the respondent has filed his written statement. On 27.03.2025, this court has been framed the issues. The petitioner was examined himself before filing of written statement. The respondent has took 3-4 hearing dates and filed present application. This court already framed the necessary issues for effective adjudication of the matter in dispute. The framing of additional issue not required. In which additional issue is required it is not explained by the respondent in the affidavit. Hence, application filed by the respondent is not maintainable. **With these averments this court has answer the point No.1 in the Negative.**

9. **Point No.2:-** In view of above discussion this court proceeds to pass the following:-

ORDER

**I.A. No.II filed by the learned
counsel for the respondent Under
Order-14 Rule 5 and 2(2) R/w
Section 151 of C.P.C., is hereby
dismissed with cost of Rs.300/-.**

(Dictated to the Stenographer, directly typed by her on the computer, Order corrected and signed by me, then pronounced by me in the Open Court on this the **9th day of March, 2025**).

**(Mahendra.M)
Senior Civil Judge & MACT.,
Malavalli.**