

L/C for the plaintiff filed IA No.18 U/o 22 rule 3 and 4 of CPC seeking permission to bring the LRs of Defendant No.1 (Savithramma who died on 08/11/2020) on record.

L/C for the plaintiff filed IA No.19 U/o 22 rule 9(2) of CPC seeking setting aside of abatement to bring the LRs of Defendant No.1 on record.

L/C for the plaintiff filed IA No.20 U/s 5 of Limitation Act seeking condonation of delay in bringing the LRs of Defendant No.1 on record.

For objections to IA No.18 to 20 if any by 22/02/2022.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiff filed IA No.21 U/s 151 of CPC seeking permission to file objections to IA No.13 filed by the defendants with regard to court fees and valuation along with the objections.

L/C for the plaintiff filed memo stating that, defendant No.12 filed application order order 7 rule 1(1) and section 11 and 18 of the KCF and SV Act, which was adopted by the defendants 1,2, 8, 11, 13 and 14. Against this application that the plaintiff deposited the court fee without prejudice the right and contention of the matter. Further, the application not maintainable which are filed jointly with the independent defendants. Hence, sought for dismissal of the application filed on 21/09/2019.

For objections to IA No.21 and memo if any by 22/02/2022.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiff filed IA No.22 U/s 151 of CPC seeking permission to file objections to IA No.17 filed by the defendant No.12 U/o 39 rule 1 and 2(A) of CPC with regard to violation of order of the court along with the objections.

For objections to IA No.22 if any by 22/02/2022.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiffs filed memo seeking description in the order sheet regarding appearance of AGP and whether he has filed the W/S or objections as it is not visible in the order sheet.

On perusal of the entire order sheet and the records, it reveals that :

Defendant No.1 filed W/S on 21/09/2019.  
Defendant No.2 filed W/S on 21/09/2019.  
Defendant No.3 filed W/S on 11/11/2019.  
Defendant No.4 filed W/S on 19/12/2019.  
Defendant No.7 filed W/S on 19/08/2019.  
Defendant No.8 filed W/S on 21/09/2019.  
Defendant No.12 filed W/S on 21/09/2019.  
Defendant No.13 filed W/S on 21/09/2019.  
Defendant No.14 filed W/S on 21/09/2019.

Remaining defendants namely Defendant No.5, 6, 9 to 11, 15 to 18 have not filed written statement. Defendant No.5, 9 to 11 and 15 to 18 though served with summons, but defendant No.5, 8 to 11 did not appear before the court. Hence, they are already placed ex-parte. Defendant No.15 to 18 represented by Learned Government Assistant pleader. The statutory period of 90 days lapsed and no application filed seeking permission to file W/S. Therefore, W/S of D-5, 6, 9 to 11, 15 to 18 are taken as not filed. Accordingly, memo is allowed.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiffs filed memo seeking clarification regarding issuance of notice to proposed defendant No.19 on IA No.14.

On perusal of entire order sheet and records, it reveals that, no orders passed subsequently to filing of these applications.

Hence, today in order of issuance of notice is made. Accordingly, memo is considered.

Issue notice of IA No.14 to proposed defendant No.19 if PF is paid.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiffs filed memo seeking entering of proceedings with regard to death of plaintiff No.4 who was reported dead on 11/07/2020 and applications filed for bringing LRs on record.

On perusal of entire order sheet and record it reveals that, the application bearing the date of 05/09/2020 is on record which was filed by the plaintiff U/o 22 rule 2 and 4 of CPC seeking permission to bring LRs of plaintiff No.4. Now this application is numbered as IA No.23.

Issue notice of IA No.23 to LRs of plaintiff No.4 if PF is paid.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiffs filed memo seeking re-issuance of summons to LRs of defendant No.1. Hence, considering the memo and entire order sheet now the suitable order is passed.

Re-issue notice of IA No.15 to 17 to LRs of Defendant No.1 through RPAD. The PF with RPAD covers are furnished. Returnable by 22/02/2022.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiffs filed memo seeking allowing IA No.16 as defendant No.1,2,8,12,14 and 15 to 18 have not filed objections and order sheet dated 29/01/2021 till 03/06/2021 does not disclose the fate of the LRs application.

But, due to covid-19 so many proceedings have not been entered in the order sheet. But, today all the applications and memos are taken into consideration and passed necessary order. Accordingly, the memo is considered.

Sr CJ and JMFC.,  
K.R.Nagar.

L/C for the plaintiffs submitted that he has filed the memo on 05/01/2021 reporting the death of plaintiff No.1 on 01/12/2020 and further submitted that, in the said memo he has stated that, the husband of plaintiff No.1 died long back and all the children of plaintiff No.1 are already parties to the proceedings. Hence, prays to consider the memo and pass the necessary orders.

In view of the memo, it is held that, the LRs of the plaintiff are already parties to the proceedings. Hence, L/C for the plaintiff is permitted to make necessary note in the plaint with regard to death of plaintiff No.1 and her LRs on record.

Call on 22/02/2022.

Sr CJ and JMFC.,  
K.R.Nagar.