

Case called. Heard arguments on IA No.XI and XII.

2. Perused IA No.XI. It appears that, the plaintiff has filed IA No.11 under order 6 Rule 17 of CPC seeking permission to amend the plaint by inserting item No.3 to 6 of the schedule properties.

3. On the other hand the defendants have not filed objection to the applications.

4. In the affidavit it is stated that, the plaintiffs have filed the suit for the relief of partition and separate possession with respect to the schedule properties. At the time of filing of the suit, the plaintiffs have not included the proposed amendment properties due to lack of knowledge and documents. The said properties are also joint family properties of the plaintiff. Therefore, the proposed amendment is necessary to adjudicate the matter effectively.

Accordingly, application filed by the plaintiff on IA No.11 is allowed.

5. Further, the plaintiff have filed application on IA No.XII under order 1 Rule 10(2) of CPC and implead the proposed defendant No.8 to 11 as defendants in this case.

6. According to plaintiffs, the proposed defendants are the purchasers of the proposed amendment schedule properties. After receipt of the application, the court notice has been issued to the proposed defendants. In spite of it, the proposed defendant No.8 to 10 are absent. However, the proposed defendant No.11 is present and he submits that, he has no objection to allow the application.

7. As per contention of the plaintiffs, the proposed defendant No.8 to 11 are the purchasers of the schedule properties. Therefore, they are also necessary parties. In the absence

them, the matter cannot be adjudicate effectively. Therefore, they are also necessary parties to the suit. Accordingly, the application filed by the plaintiffs on IA No.XII is allowed.

8. Plaintiffs are directed to the amend the plaint and furnish the amended plaint within 14 days.

Call on: 19.07.2024.

**Senior Civil Judge & JMFC,
K.R.Nagar.**