

Case called out.

2. Advocate for DHR present. No representation for the Judgment debtor.

3. Heard on IA No.I which is filed U/s. 50 of CPC seeking permission to bring the opponents on record as legal heirs of deceased JDR No.1.

4. Application is accompanied with the affidavit. It is stated in the affidavit that, the present execution is filed for enforcement of decree in OS No.22/2019. The said suit was filed seeking the relief of specific performance of contract, ultimately, the suit came to be compromised for refund of money. It is stated that, the JDR has not paid the money as per the compromise. Thus, execution petition is filed. During the pendency of execution, judgment debtor died. The opponents have inherited all the rights possessed by deceased JDR No.1. No loss or hardship will be caused

to the opponents if the application is allowed. Therefore, it is prayed to allow the application.

5. After filing of the application, notice was issued to the opponents. Opponents appeared before the court through an advocate but they did not file objection to the application.

6. After hearing the arguments and perusing the file, it is gathered that, the present execution of petition is filed for enforcement of compromise decree in OS No.22/2019. As per the said decree the deceased judgment debtor and judgment debtor No.2 have agreed to execute sale deed to some extent and also agreed to receive the remaining amount.

7. Looking to the statement on oath and pleadings available on record it appeared that, opponents are the legal representatives of deceased JDR No.1. It also revealed that, the right to sue continued against the opponents. Therefore, the application deserves to be allowed. Accordingly, I proceed to pass the following;

ORDER

I.A.No.I filed U/s. 50 of CPC is allowed.

Decree holder is permitted to bring the opponents on record as the legal representatives of deceased JDR No.1.

Decree holder shall amend the cause title and shall produce amended petition.

Call on 17/12/2022.

**Senior Civil Judge & J.M.F.C.,
T. Narasipura.**