

ORDERS ON I.A.No.III & IV

Provision under which the application is filed	U/Sec.151 of C.P.C.
Relief sought for	To set aside the order dated 16.02.2024 and permit the defendant no.2 to file the written statement.
The date on which the application is filed	02.07.2025
Number of the application	IA No.III and IV
The date on which the objections are filed by different opponent	14.07.2025
The date on which the orders were passed on the said application	06.09.2025

Sri.S.J. advocate for defendant no.2 filed IA No.3 and 4 U/sec.151 of CPC to set aside the order dated 16.02.2024 and permit the defendant no.2 to file the written statement.

2. In the accompanying affidavit and memo of facts contended that due to non securing of documents and defendants being the agriculturist and they are engaged in agricultural work due to heavy rain and delay caused in filing the written statement. The delay caused in filing written statement is not intentional one. If application is allowed no loss will caused to other side. On the other

hand the defendant will put hardship. Hence prays to allow the application.

3. On the other hand, the plaintiff filed objection. In the objection contended that after laps of 01 year 05 months the defendant no.2 filed this application and reasons stated is not correct. Only to drag o the case filed this application. Hence prays to reject the application.

4. Heard both sides.

5. After going through the material available on record, the plaintiff filed this suit for partition and separate possession against the defendant in respect of suit schedule property. Now the case is posted for arguments as finally at this stage the defendants filed these applications along with written statement. Considering the material this being a trial court it is necessary to give one more opportunity by imposing costs to compensate the other side. Hence in the interest of justice this court proceed to pass the following;

ORDER

I.A.No.III and IV filed by the defendant no.2 U/sec.151 of CPC is

hereby allowed on cost of Rs.800/-
cost is to be paid to the plaintiff.

Call on for issues.

Call on 08.10.2025.

**Senior Civil Judge and J.M.F.C.,
Devadurga.**