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|----|-------------------------------------------------------------------|----------------------------------------------------------------------|
| 1  | Provision under which the application is filed                    | U/o 22 Rule 4, U/o 22 Rule 9 of CPC and Section 5 of Limitation Act. |
| 2. | Relief sought for                                                 | Bring Lrs of deceased plaintiff                                      |
| 3. | The date on which the application is filed.                       | 26-03-2026                                                           |
| 4  | Number of application.                                            | IA No. 6 to 8                                                        |
| 5  | The date on which the objections are filed by different opponents | 08-04-2026<br>no objection                                           |
| 6. | The date on which the orders were passed on the said application. | 08-04-2026                                                           |

**COMMON ORDERS ON I.A No. 06 TO 08**

These I.A.'s have been filed by the plaintiff counsel U/o 22 rule 4 of CPC to bring the legal representatives of deceased plaintiff and U/o 22 rule 9 CPC set aside the abatement order and to condone delay U/ sec 5 of limitation Act.

2. In the affidavit it is stated that, the deceased plaintiff by name Late Poornima Suganna W/o Satishkumar C.G. died

on 18-08-2025 and That the deceased plaintiff has left husband and 2 children survived they are necessary parties to be brought on record. There is delay of 133 days in filing the IA and to bring L.Rs of deceased plaintiff. But the plaintiff counsel was not aware of the fact of death. Hence prays to allow the IA's

3. The defendant counsel submits on cost IA's may be allowed.

4. Heard both side counsel.

5. The following point arise for my consideration they are as follow;

1. Whether all the I.A's deserved to be allowed?

2. What order ?

6. My answer to the above points are;

Point No.1 : Affirmative.

Point No.2 : As per order.

### **REASONS**

7. **Point No 1 :-** This suit is filed by plaintiff for the relief of Permanent injunction. That the deceased plaintiff by name Late Poornima Suganna W/o Satishkumar C.G. died on 18-08-2025 and That the deceased plaintiff has left husband and 2 children survived they are necessary parties to be brought on record. There is delay of 133 days

in filing the IA and to bring L.Rs of deceased plaintiff. But the plaintiff counsel was not aware of the fact of death. LR's were not brought on record in time. There is delay. The said delay has been satisfactorily explain in the affidavit. It will not cause prejudice to the defendant. The right to sue survives to the LR's of the plaintiff. If the IA's are allowed no harm injury would cause to the other side. Accordingly I answer to the Point No.1 is in the Affirmative.

8. **Point No.2:-** For the above said reasons the following:

**ORDER**

The I.A. No. 6 to 8 filed by the plaintiff counsel are hereby allowed. Abatement order against deceased plaintiff is set aside. The L.Rs. of plaintiff no.1(a) to (c) are permitted to come on record.

Call on for amendment of cause title and amended plaint.

Call on: 22-04-2026.

Sd/-  
Civil Judge and JMFC  
Devadurga



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