

1.	Provision under which the application is filed	U/order 9 Rule 7 R/w 151 of CPC
2.	Relief sought for	Recall of exparte order
3.	The date on which the application is filed.	02-12-2025
4	Number of application.	IA No. II
5	The date on which the objections are filed by different opponents	02-12-2025, no objection
6.	The date on which the orders were passed on the said application.	02-12-2025

ORDERS ON IA NO. II

Case Called out. Sri. T.C. advocate filed vakalath and IA no. II U/o 9 Rule 7 of CPC Praying to set aside exparte order against Defendant No. 3 . Other side counsel submits no objection to the IA.

In the affidavit it is stated that the defendants due to unavoidable circumstances could not appear and appointed advocate in time. Hence this court took the appearance of defendant No. 3 as nil and placed exparte. On perusal of the order sheet on the previous date of hearing the summons was served on 24-08-2024 and IA is filed on 02-12-2025 no harm or

injury would cause to the other side if the IA is allowed. On the other hand great injustice would cause to the applicant. By applying principles of natural justice. IA deserves to be allowed.

Hence the following:

ORDER

IA no. II filed by the defendant No. 3
U/o 9 rule 7 of CPC is hereby allowed on cost
of Rupees 200/-, cost to be paid. Exparte
order recalled. Defendant no. 3 permitted to
contest the suit. For W/S by 07-01-2026.

Sd/-
Civil Judge and JMFC.,
Devadurga