

Sri. K.K.V., Advocate filed affidavit that one Sri. G.K., Advocate filed vakalath for respondent no.1 without taking his N.O.C. It is pertinent to note here that on 09-07-2026, the respondent no.1 appeared before the court and filed requisition that he has no faith in his counsel. Hence he want to change his counsel. It is liberty of the litigants to chose their counsel if they have no faith in their counsel.

It is pertinent to note here that original suit No.80/2000 returned by Civil Judge Junior division court, Lingasugur with endorsement that on the grounds of pecuniary jurisdiction, the plaintiff was directed to submit file before the proper court. The proper court is Senior Civil Judge, Lingasugur. It is the procedure that, after presenting the plaint before proper jurisdiction court, the court has to register it and issue suit summons to the defendants. But in the present case the counsel for plaintiff either having lack of knowledge or with some other intention has filed Civil Miscellaneous and issued notice to respondents and dragged the matter more than 7 years. Since 7 years the petitioner is roaming without getting registration of suit before proper court. Now the counsel for respondent have one or other reason trying to drag the matter which is mockery to justice. The persons who is having legal knowledge has not ready to follow proper

procedure unnecessarily dragging the matter with wrong procedure.

The court is having power U/O 1 rule 10(2) of CPC., to strike out any wrong parties in the suit or petition. Hence correct procedure is immediately after submitting plaint by plaintiffs before proper jurisdictional court. The court ought to have register it and issue suit summons to defendants. But inspite of it, because of mis-leading by petitioner counsel. Civil Miscellaneous case was registered under Civil Misc.No.10/2020 and case is dragging for 7 years without registering suit. Hence following;

O R D E R

By exercising powers U/Sec.151 of CPC., office is hereby directed to register the O.S.No.80/2000 and close the Civil Misc.No.10/2020.

Sd/-

Sr., CJ., & JMFC., Lingasugur.