

IN THE COURT OF ADDL. SENIOR CIVIL JUDGE,
RAMANAGARA

:PRESENT:

Smt. K.Srividya, B.A.L., LL.M.,
Addl. Senior Civil Judge,
Ramanagara.

O.S.454/2012

DATED : THIS THE 27th DAY OF JULY 2016

Plaintiffs : Nanjappa and others.

- V/s -

Defendant : B.Hanumaiah.

* * * *

Orders on I.As dated 12.04.2016

I.As are filed by the LR's of plaintiff under Order 22 Rule 9, Order 22 Rule 1 & 2 and Section 5 of Limitation Act r/w Sec.151 of CPC to implead the LR's of deceased plaintiff on record as plaintiff No.1(a). The applications are

accompanied by affidavit. Objection is filed to the said applications.

2. Heard the Counsel and perused the records. The suit is filed for Declaration and Permanent Injunction. The plaintiff is stated to have died on 18.11.2015. The Death Certificate is produced. The above said applications are filed in order to implead the proposed legal representatives of plaintiff. In the objection it has been stated that, apart from the proposed applicant the deceased had two sons by name Hanumantha @ Thimmaiah and late Basavaraju. They are not brought on record. Hence, on this ground seeks for rejection of the application. It is to be noted that, the suit being filed for Declaration and Injunction the proposed applicant being none other than wife of the deceased plaintiff this Court views that the applications could be allowed by condoning the delay in filing the applications. Further, the cause title in the plaint reveals that the children of the 1st plaintiff is already

shown as plaintiffs No.2 to 4. Hence, on this ground also the applications could be allowed. With this observations, I proceed to pass the following:

ORDER

I.As dated 12.04.2016 filed by the LR's of plaintiff Order 22 Rule 9, Order 22 Rule 1 & 2 and Section 5 of Limitation Act r/w Sec.151 of C.P.C. is hereby allowed. No cost.

The LR's of deceased plaintiff No.1 is brought on record as plaintiff 1(a).

For amendment of plaint.

By

(K. SRIVIDYA)
Addl. Senior Civil Judge,
Ramanagara.