

THE COURT OF ADDL. SENIOR CIVIL JUDGE,
RAMANAGARA

:PRESENT:

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

O.S. No.256/2010

DATED : THIS THE 6th DAY OF OCTOBER 2017

Plaintiffs : Sampangaiah and others.

- V/s -

Defendants : Doddaputtaiah and others.

* * * *

Orders on Joint Memo dated
04.04.2017

Plaintiffs and defendant No.11 filed joint memo stating 15 guntas in item No.11, 1-21 acres in item No.10 & 13 guntas in Sy.No.98/3 are sold by Smt.Akkachamma and others vide sale deed dated 23.03.2005 in favour of defendant No.11 and defendant No.11 is in exclusive possession of said properties.

Therefore, plaintiffs pray to delete defendant No.11 from the suit.

Objection is filed by defendant No.1 LRs to the application, stating they have every right over the said properties.

Heard the counsels, perused the records.

In the joint Memo the plaintiffs seek permission to delete defendant No.11 Sri.V.Venkatesh from the suit contending he is in exclusive possession of 15 guntas in item No.11, 1-21 acres in item No.10 and 13 guntas in Sy.No.98/3.

However, as per order of Hon'ble High Court of Karnataka in WP 9991/2017 there is stay of the suit with reference to item No.9 & 12 of suit schedule properties. Sy.No.98/3 is item No.9 in suit schedule property. When there is stay of Hon'ble High Court with reference to item No.9 of suit schedule property, this Court views that, the joint memo filed by plaintiffs cannot be accepted.

Hence, with this observation, joint memo filed by plaintiffs and defendant No.11 dated

04.04.2017 is to be rejected. With this observation, proceed to pass the following :

ORDER

Joint Memo dated 04.04.2017 filed by plaintiffs and defendant No.11 is hereby rejected with cost of Rs.1,000/-.

For cross-examination of PW1 finally and last chance.

**Addl. Senior Civil Judge,
Ramanagara.**