

**ORDERS ON I.A. NO.7**

This is an application filed by the applicant/plaintiff Under Order I Rule 10 R/w Section 151 of CPC with a prayer to implead the proposed defendant in this suit as defendant No.4.

Despite, service of notice on the proposed defendant, they didn't appear before the court as such the proposed defendant is placed as absent.

Heard the learned counsel for the plaintiff on IA.No.7 and perused the records available on file.

It is pertinent to note that, the plaintiff has filed the present suit against the defendants for declaration and permanent injunction in respect of suit schedule property. It is the contention of the applicant/plaintiff that during the course of case proceedings he come to know that the defendant No.2 has executed a sale deed dated 24-01-2013 in favour of the Government of Karnataka represented by the Tahasildhar, Kanakapura. The proposed defendant is being the purchaser of the suit schedule property is necessary party to the present suit for better adjudication of the subject

matter. The proposed defendant has not opposed to the present application by filing objections. Further it is pertinent to note that, the burden is upon the applicant/plaintiff to prove the alleged sale transaction between the defendant No.2 and proposed defendant. It is well settled recognized law that in a civil suit all the necessary parties shall be brought on record for better adjudication of the subject matter. If the present application is allowed no harm or injustice will be caused to the defendants or proposed defendant. By considering the nature of the suit, facts and circumstances of case and to curtail the multiplicity proceedings, this court is of the opinion that proposed defendant is necessary party to the present suit for better adjudication of the subject matter. Hence, I proceed to pass the following:

**ORDER**

I.A No.7 filed by the applicant/plaintiff Under Order I Rule 10 R/w Section 151 of CPC is hereby allowed on cost of Rs.200/-.

The proposed defendant is brought on record as defendant No.4

in the present suit as  
sought for.

The plaintiff shall  
amend the plaint and  
furnish amended plaint.

Call on 23-01-2025.

Sd/-

Addl. Civil Judge & JMFC,  
Kanakapura.