

ORDERS ON I.A.NO.6

This is an application filed by the plaintiff U/O 3 Rule 2(A) R/w section 151 of CPC with a prayer to permit him to conduct/represent the case through her SPA holder.

The present application is supported with the affidavit of plaintiff, wherein she deposed that the plaintiff has filed the present suit against the defendants for permanent injunction. The plaintiff who filed this suit is having children and she has to take care of her kids as such the plaintiff couldn't able to attend the case to adduce her evidence personally. Hence it is just and necessary for the plaintiff to appoint SPA holder to lead evidence on behalf of the plaintiff and conduct the case. On these grounds, the applicant prayed to allow the present application.

Heard both the parties on the present application.

I have gone through the application, plaint, written statement and other material available on record. It is pertinent to note that the Act/statute itself has provided an opportunity to the parties to conduct their case through their Agents, GPA holders, as such it is not necessary to seek permission for appointment of GPA/SPA holder to conduct the case on behalf of either party. As such, the applicant is entitled to lead his evidence on behalf of the plaintiff by producing the GPA/SPA copy executed by the plaintiff. For which they need not to take any permission from the court as the same is not required. By considering the nature of this case, facts and circumstances, this court proceeds to pass the following:

ORDER

An application filed Under Order 3 Rule 2(A) R/w section 151 of CPC by the plaintiff is hereby rejected.

The SPA holder is at liberty to produce the SPA copy along with Vakalath at the time of his evidence.

Posted for plaintiff's evidence.

Call on 29-03-2025.

Sd/-
C/c Prl., CJ & JMFC.,
Kanakapura.