

ORDERS ON IA-VI

The defendant-3 filed this application under Section 151 CPC., praying to club the suit with OS.69/2020.

Heard and perused the records.

The plaintiff filed this suit seeking for the relief of partition, separate possession and other allied reliefs claiming share in suit schedule property as sisters of one deceased Malleshappa. The suit in OS.69/2020 is filed by the daughter of said Malleshappa in respect of their ancestral joint family properties. Some of the properties in both the suits are one and the same, so also the parties to the suit. Issues in both the suits are framed and in both the suits plaintiff has commenced evidence.

However, the question that arise for consideration in both the suits are interlinked and all the questions that need to be decided in both the suits have to be heard and decided together, in order to avoid diversion findings. Under such circumstances to avoid



multiplicity of proceedings and diversion findings, it is necessary to club both the suits. Accordingly, I proceed to pass the following;

ORDER

The applications IA-VI filed by the defendant-3 is hereby allowed.

Suit in O.S.No.69/2020 is ordered to be clubbed with O.S.No.103/2020 and it is ordered to record common evidence in O.S.No.69/2020.


(T.SRIKANTH)
Prl. Senior Civil Judge,
Bhadravathi.