

ORDER ON I.A. No.I

Sri. SK, Advocate for applicants has filed IA.No.I U/o XXII Rule 3 of C.P.C along with Vakalath with a prayer to bring the L.Rs of the deceased plaintiff on record.

The defendants counsels have submitted that they have no objections to allow the present IA.

This is the suit for partition and separate possession filed by the plaintiff against the defendants in respect of suit properties. The defendants have appeared through their advocates. When, the case was posted for plaintiff's evidence, on 10.07.2018 the counsel for the plaintiff has reported about the death of plaintiff. Accordingly on 18.08.2018 advocate for applicants has moved this application to bring the L.Rs of the said plaintiff on record. As per the contents of affidavit filed in support of this application, it is discloses that, the plaintiff died on 18.06.2018 and the present application to bring the LR is filed on 18.08.2018, hence as per the date of death mentioned by the applicants in their affidavit, the present I.A. No.I is filed within time and the defendants are not specifically disputed the death and date of death of the plaintiff by filing their objection. Hence no reasons to reject the present I.A, as such I proceed to pass the following;

ORDER

IA.No.I filed U/o XXII Rule 3 of CPC by the applicants is hereby allowed.

No order as to cost.

The applicants shall amend the plaint and
furnish the amended plaint.

Call on 06.03.2019

**Prl. CJ and JMFC,
Gubbi.**