

**ORDER ON I.A. No.I**

The plaintiff has filed the instant application under Section 80(2) of CPC along with the plaint, seeking the lieu of the court to institute the suit without serving the notice to the defendant No.2 as required by Section 80(1) of CPC.

Heard the learned Counsel for plaintiff on I.A. No.I and perused the contents of application, plaint averments and other materials available on record. On perusal of the same, it appears that the plaintiff intense of obtain urgent relief against the defendant No.3. Looking into the facts and circumstances of the suit and considering the reasons assigned by the applicant, this court is of opinion that it is just and necessary to grant leave to the plaintiff to institute the suit against the defendants by dispensing the notice as contemplated under Sec.80(1) of CPC. Hence, this court proceeds to pass the following:

**ORDER**

I.A. No.I filed by the plaintiff under Sec.80(2) of CPC is hereby allowed.

Plaintiff is permitted to institute the suit against defendant No.2.

**Sd/-  
Addl. Civil Judge & JMFC.,  
Sira.**

**ORDER ON I.A.No.III**

Heard the learned Counsel for plaintiff on I.A. No.III, which is filed U/o XXXIX Rule 1

and 2 of CPC. As per Sec. 80(2) of CPC, when issuance of statutory notice is dispensed with, no interim order should be passed without giving opportunity to the defendants.

Hence, issue Emergent Notice on I.A. No.III and suit summons to the defendants returnable by:

**Sd/-  
Addl. Civil Judge & JMFC.,  
Sira.**