

ORDERS

IA.Nos.8 to 10 have been filed by the LRs of deceased plaintiff No.4 to come on record as plaintiff No.4(a) to 4(e). These applications are filed under Order XXII Rule 3 CPC, Order XXII Rule 9 CPC and under Section 5 of the Limitation Act respectively.

2. The above applications remain unopposed by the defendants.

3. Plaintiffs have filed IA.Nos.12, 13 and 17 to bring LRs of deceased defendant No.8. These applications are filed under Order XXII Rule 9 CPC, Section 5 of Limitation Act and Order XXII Rule 4 CPC respectively.

4. On due service of notice, the LRs of deceased defendant No.8 have not appeared before this Court and therefore they remain absent.

5. Plaintiffs have filed IA.No.14 to 16 to bring LRs of deceased defendant No.17. These applications are filed under Order XXII Rule 4 CPC, Order XXII Rule 9 CPC and Section 5 of Limitation Act respectively.

6. Though the LRs of deceased defendant No.17 namely the proposed defendants No.17(a) to 17(d), have appeared through their respective counsel, they have not filed any objections to the application.

7. Plaintiffs have also filed memo stating that defendant No.1 died and his LRs are already on record as defendants No.2 to 7. The said memo is also unopposed by any of the defendants.

8. Having heard the arguments of both sides and upon perusal of the entire records of the case, this Court is of the view that the suit is for partition. The above applications have not been opposed by any of the LRs of the deceased defendants No.8 and 17 or other defendants. Therefore this Court is of the view that the applications deserve to be allowed and the LRs of deceased plaintiff No.4 has to be permitted to come on record and further the plaintiffs shall be allowed to bring the LRs of deceased defendants No.8 and 17 respectively in order to proceed with the matter. Hence all the applications are to be allowed and the memo filed by the plaintiffs also to be considered.

9. In view of all these, I pass the following :

ORDER

- (i) IA.Nos.8 to 10, 12 to 17 are ***allowed***.
- (ii) Consequently, the LRs of the deceased plaintiff No.4 are permitted to come on record as plaintiff No.4(a) to 4(e).
- (iii) Further the plaintiffs are permitted to bring on record the LRs of deceased defendant No.8 and 17 respectively as prayed in the applications.
- (iv) Plaintiffs are permitted to amend cause title of the plaint to the above effect and also in view of the memo filed by them as aforesaid.

(v) For amendments and furnishing amended copy
of the plaint by
22-09-2025.

*(Dictated to the Stenographer directly on computer, typed by him, corrected and then initialed by me
and pronounced in the Open Court on the 15th day of September, 2025)*

**Sd/-
Addl. Senior Civil Judge & JMFC,
Karwar.**