

This I.A No. VII along with affidavit has been filed by the advocate for the Plaintiffs under Order XXII Rule 4 to bring the LR.s. of the deceased defendant No.1 as they are necessary parties to the said suit.

In this regard, xerox copy of death certificate has been produced which shows that the defendant No.1 is dead on 28/07/2020.

Inspite of service of notice of the said application, the LR.s. of the defendant No.1 remained absent. The said application is well within time.

On perusal of the same, this Court is of the opinion that since the suit is for Partition and separate possession, the LR.s. of the defendant No.1 are necessary parties to the said suit to effect the partition and they

are required to be brought on record. Hence the said I.A.NO. VII deserves to be allowed.

For amendment and amended plaint.

Call on:

Sd/-

Addl. Civil Judge, Ankola

Issues OS NO. 37/2020

Whether the plaintiffs prove that the suit schedule properties are joint family properties and are in joint possession and cultivation of the same ?

Whether the plaintiffs are entitled for 1/8th share in the suit schedule properties ?

Whether the plaintiffs are entitled for the reliefs claimed in the suit ?

What order or decree ?