

13/12/2022

Pltf. by SMN

D22 to 25, 39 by RIN

D30, 31 by RNN

D32 by VFG
D4 by MLN(H)
D3, 5(a) & (b), 6 to 10, 14,
17, 20, 19, 21, 26 to 29
33 to 60 – Ex.parte
D31 abated
For Order

**ORDER ON I.A. NOS. XII TO XIV
FILED UNDER ORDER 22 RULE 3,
22 RULE 9 AND UNDER SECTION 5
OF LIMITATION ACT.**

The applicants/plaintiff No.1 to 4 have filed these applications under Order 22 Rule 3, Under Order 22 Rule 9 of C.P.C. and Section 5 of Limitation Act to permit them to come on record as L.Rs of deceased plaintiff in this suit.

In the affidavit accompanying the applications, the L.Rs of deceased plaintiff commonly states that, the plaintiff has died four months back leaving behind them and they are necessary parties to the suit. Hence, prayed to permit them to come on record by setting aside the abatement order and condoning the delay if any.

On the other hand the counsel for defendant No.22 to 25 and 39 submitted no objection to allow the application.

Perused the records and the applications and I proceed to pass the following:

ORDER

The Applications filed by the Legal representatives of plaintiff under Order 22 Rule 3, under Order 22 Rule 9 of C.P.C. and under Section 5 of Limitation Act are hereby allowed.

The L.Rs of plaintiff are permitted to come on record.

Further, the L.Rs. of plaintiff are directed to amend the plaint.

For carrying out amendment and for filing of amended plaint, call on 10/01/2023.

Sd/-

(VINOD BALNAIK)

Prl. Civil Judge and
JMFC, Bhatkal.