

The defendant Nos. 1 and 2 have filed I.A.No. V under Order IX rule 7 of CPC and I.A.No. VI under section 151 of CPC. Under these applications, the defendant Nos. 1 and 2 have prayed this Court to set aside the

order under which their written statement is taken as not filed. Along with the applications, they have also filed their written statement.

To the contrary, the learned advocate for the plaintiff has filed his objection and contended several aspects.

On perusal of the applications and objection and nature of the suit, this Court is of the opinion that the presence of the defendants and their pleadings are very much necessary in order to adjudicate the suit in proper manner. However, the reasons mentioned in the applications are sufficient to allow applications. However, the inconvenience caused to the plaintiff can be compensated by way of imposing cost on the defendant Nos. 1 and 2. With these reasons, I proceed to pass the following order,

**ORDER**

The I.A.Nos. V and VI filed by the defendant Nos. 1 and 2 are

allowed subjected to payment of Rs.500/- each as cost.

The payment of cost is condition precedent to next stage.

For settlement/ examination of parties under Order X of CPC, call on 16/11/2023.

**Prl. Civil Judge & JMFC.,  
Honnavar.**