

KAUK720000072025



**IN THE COURT OF THE SENIOR CIVIL JUDGE & PRL. JMFC.,
KUMTA, AT; KUMTA, UTTARA KANNADA**

Dated this the 2nd day of December, 2025

PRESENT

**Smt. B.S.Rayannawar, B.A., L.L.B.,
Senior Civil Judge
& Prl. JMFC, Kumta.**

O.S.No.1/2025

Plaintiff:	Sri. Balachandra Rama Nayak, Age: 64 years, Occ: Agriculturist, R/o. Bavikere, Ankola, Ankola Taluk.
Defendants:	1. Smt. Radha W/o. Rama Naik, Age: 64 years, Occ: Household, R/o. Holanagadde, Kumta Taluk. 2. Sharmila Chandrashekhar Naik Age: 51 years, Occ: Household, R/o. Holanagadde, Kumta Taluk. 3. Deepa Rama Naik Age: 31 years, Occ: Household, R/o. Holanagadde, Kumta Taluk.

	<p>4. Mangala Harish Naik Age: 46 years, Occ: Household, R/o. Holanagadde, Kumta Taluk.</p> <p>5. Amaranath Rama Naik, Age: 45 years, Occ: Agriculturist, R/o. Holanagadde, Kumta Taluk.</p>
	<u>Rank of the Parties On I.A.No.III</u>
Applicant/Plaintiff:	Balachandra Rama Nayak
	(Rep.by Sri. R.G.N.-Advocate)
Opponents/ Defendants	Smt. Radha W/o. Rama Naik and others
	(Rep.by Sri. G.G.G. Advocate)
Provision	U/o. III Rule 2 R/w. 151 of CPC.,
Relief sought for	To permit the applicant/plaintiff to proceed the suit through his GPA holder.
Application dated	21-04-2025
Application No.	IA No. III
Objection filed on	Nil
Order passed on	02-12-2025

ORDER ON I.A.No. III

The present I.A.No.III is filed by the applicant/plaintiff under Order III Rule 2 R/w Section 151 of CPC seeking to permit the applicant/plaintiff to proceed the suit through his GPA holder.

2. I.A.No.III supported with memorandum of facts wherein it is stated that, in the present case, the plaintiff Balachandra Rama Nayak executed a General Power of Attorney in favour of his relative Vinayak Devaraya Nayak. Hence prayed to allow the application.

3. In spite of sufficient opportunity the defendants not filed objection to IA No.III.

4. Perused the entire documents produced by both parties, no where the applicant/plaintiff produced the GPA executed by him. Hence for non produced of GPA the application filed by the plaintiff is not maintainable one, hence this court proceed to pass the following;

ORDER

IA No.III filed by the applicant/plaintiff under Order III Rule 2 R/w Section 151 of CPC is hereby dismissed with cost of Rs.100/-.

(Directly dictated to the stenographer to the computer, corrected and then pronounced by me in the open Court on this the 2nd day of December, 2025)

(Smt. B.S.Rayannawar)
Senior Civil Judge
& Prl. JMFC., Kumta.

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