

Case called out.

Advocate for plaintiff. Prays time to for objection to I.A.No.II and orally objected the said application.

Heard on same.

The present application is filed for stay of proceedings on the ground that O.S.No.166/2015 is pending on the file of this court filed by the defendant for the relief of declaration and recovery of possession with respect to suit property of the present suit.

The learned counsel for plaintiff argued that, the present suit is for the relief of specific performance of agreement and relief sought in the present suit is entirely different from that of O.S.No.166/2015, though both the suits are between same parties and with respective same subject matter but the relief is entirely different.

The learned counsel for the defendant in support of the application has not filed any documents. In absence of documents it is difficult to come to the conclusion. I find the substance in the arguments of the learned counsel for the plaintiff. Undisputedly the relief in both the suits are entirely different and there is no co-relation between both the suits. In view of the same the application filed the defendants is devoid of merits. Thereby proceed to pass the following.

**:ORDER:**

- ***I.A.No.III filed by defendants is rejected on cost of Rs.750/-***
- ***For further plaintiff side evidence by 27.05.2022***

***CJ & JMFC, Hadagali.***