

IA.No.3/2022
in
O.S.No.72/2020

Dated: 25.06.2024

Order pronounced

Heard the petitioner, the counter filed by the 7th respondent/7th defendant is perused.

The petitioner/plaintiff submits that it is only a consequential amendment where the IA 2/2022 seeking for impleading the 11th respondent as additional 11th defendant was allowed already on 26.08.2022. In the counter filed by the 7th respondent/7th defendant he submits that the person to be impleaded by way of this amendment is unknown to him and he is having no right in the plaint scheduled property who is a stranger and the amendment will lead to confusion in the main case as he is an unnecessary party.

But admittedly the proposed 11th additional defendant has filed an

impleading IA.No. 2/2022 which was allowed by this court on merits by holding that the proposed party is a coparcenar and hence a necessary party in the main suit for partition. Hence obviously the present consequential amendment is to be allowed for getting on with the main trial.

Considering the facts and circumstances of the present case for the above said reasons, the present IA is allowed as prayed for. No costs.

Sd/-

Subordinate Judge

Eraniel