



C.S.No.572 of 2015

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N.SESHASAYEE, J.

The brother and sister, as plaintiffs, have laid the instant suit for partition against their parents.

2. On 02.08.2017, an ex-parte preliminary decree was passed, declaring 1/4th share each for the plaintiffs. Subsequently, at the instance of the defendants, the ex-parte preliminary decree was set aside and thereafter, a written statement was filed and the same was taken on record. Subsequently, this Court, attempted mediated settlement of the dispute, but that failed. In the meantime, the first defendant, namely father of the plaintiffs, had passed away and one of the plaintiffs who is the brother of the other plaintiff, transposed himself as additional third defendant to side with the second defendant, namely the mother. Consequent to the demise of the first defendant, the shares of the other parties enlarged from 1/4th share each to 1/3rd share. Necessary amendment has also been made to the plaint.



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Asr/nti

3. The learned counsel for the second defendant now seeks time to file his written statement (formerly second plaintiff) to the amended plaint.

4. Post the matter on 25.01.2023.

06.01.2023

Asr/nti

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06.01.2023