

Perused the advance application filed by the learned counsel for defendant, which is numbered as IA.No.2, since the said application is ordered to be taken on board on the hearing date i.e., today, IA.No.2 does not survive for consideration and accordingly, the same is disposed off.

**2.** Learned counsel for defendant has filed IA.No.4 under Order 3 Rule 1 of CPC along with memo and SPA dated 18.06.2024, which discloses that the defendant has appointed one C.R.Eranna as his SPA holder for the purpose of defending him in the above suit.

**3.** The learned counsel for defendant has further filed IA.No.3 under Order 9 Rule 7 of CPC, seeking to recall the exparte order passed against the defendants.

**4.** The learned counsel for plaintiff submits that IA.No.3 and 4 may be allowed.

**5.** The SPA dated 11.06.2024 would disclose that the defendant has appointed the applicant i.e., C.R.Eranna as his SPA holder who is also filed an application seeking recalling of exparte order passed against the defendant. This is a suit for bare injunction, wherein, the plaintiff has alleged obstruction by the defendant. This being the case, the say of

the defendant on the material in controversy is relevant and necessary for the purpose of full and final adjudication of the dispute involved in the present suit. Hence, the following:

**ORDER**

IA.No.4 filed by the application is allowed and accordingly, he is permitted to represent the defendant in the above suit pursuant to the SPA dated 11.06.2024.

IA.No.3 is also allowed and accordingly, ex parte order dated 29.05.2024 passed against the defendant is re-called.

For plaintiff evidence by 25.07.2024.

Sd/-

(Vishwanath.A)

Prl. Civil Judge & JMFC  
Mudigere.