

In the Court of Shri. Vaibhav Kumar, Civil Judge Junior Division, Areraj.

Title Suit 336/90

Rajkali Thakur & Others

vs

Harikishor Thakur & Others

16-01-2026

ORDER

Both parties are present. Case called out for hearing on application to bring the legal representative of deceased defendant on record under order XXII rule 04 of the Code of Civil Procedure (hereinafter called as CPC). Heard the learned advocate for the plaintiff and the learned advocate for the defendant.

The petitioner/plaintiff has submitted vide his petition dated 15-12-2025 that defendant no. 01 namely Harikishor Thakur has died on 28-10-2025 leaving behind his 03 daughters namely Kamni Kunwar, Bini Devi and Ragni Devi. Hence, the name of the defendant no 01 should be expunged from the record and their legal heirs may be added. Hence prayed that petition of the plaintiff may be allowed and the name of the deceased defendant no. 01 may be expunged and their legal heirs may be brought on the record.

The defendant has not objected on the petition of the plaintiff.

Heard. Perused the record, upon perusal it appears that the deceased defendant no. 01 has died on 28-10-2025 and he is survived by his 03 daughters. The application has been filed to expunge the name of the defendant no. 01 from the record and their legal heirs be added as a party to the suit. The said application is made within limitation period of 90 days as prescribed by Article 120 of Limitation Act, 1963, from the date of death of the deceased defendant no. 01. Hence the petition of the plaintiff is allowed.

List on 22-1-26 for further proceeding.

Vaibhav Kumar
16/1/2026
Civil Judge Junior Division,
Areraj.