

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

Execution suit- 03/17

Md Maqsood Ali

vs

Bharat Mahto & Others

25-11-2025

ORDER

Decree holder is present. Case called out for hearing on application dated 18-11-2025 to bring the legal representative of deceased decree holder on record under Section 151 of the Code of Civil Procedure (hereinafter called as CPC). The suit has proceeded ex-parte.

The petitioner/decreed holder has submitted vide his petition dated 18-11-2025 that decree holder Md Maqsood Ali has died on 20-10-2025 leaving behind his only son namely Md Abdul Hanan Ali. Hence, the name of the decree holder should be expunged from the record and their legal heirs may be added. Hence prayed that petition of the decree holder may be allowed and the name of the deceased decree holder may be expunged and their legal heirs may be brought on the record.

The judgement debtor has not appeared in this suit and this suit has proceeded ex-parte.

Heard. Perused the record, upon perusal it appears that the deceased decree holder is survived his only son namely Md Abdul Hanan Ali. The application has been filed to expunge the name of deceased decree holder from the record. The said application is made within limitation period of 90 days as prescribed by Article 120 of Limitation Act, 1963, from the date of the deceased decree holder. Further in order to enable the court to effectively and completely adjudicate upon and settle all the questions involved in suit, it is necessary to allow the application to bring on record the legal representatives of the deceased decree holder. Hence in the interest of justice, the petition of the decree holder is allowed.

List on 03.12.2025... for further proceeding.

Vaibhav Kumar
25/11/2025
Civil Judge Junior Division,
Areraj.