

**ORDER BELOW EXH.31**  
**IN**  
**REGULAR CIVIL APPEAL NO.49 OF 2022**

- (1) This application seeks to join the heirs of appellant herein namely Sajanbhai Naranbhai Chavda, who has passed away during the pendency of this appeal on 31.12.2024.
- (2) Learned advocate for the appellant submits that the original appellant died on 31.12.2024 pending hearing of the present appeal and it is necessary to join the heirs of deceased appellant in the present appeal. It is further submitted that the deceased appellant is father of present applicants who are legal heirs of the appellant and the right of legal heirs of appellant in the present appeal will be frustrated if they are not joined in the present appeal; therefore, the present application is filed to bring the legal heirs of deceased appellant on record.
- (3) The names of legal heirs of deceased appellant are mentioned in the present application at para-1.
- (4) Read the application and heard learned advocates for both the parties.
- (5) The delay that had occasioned in bringing heirs of the appellant has been condoned and abatement has been set aside. Therefore, having regard to the subject matter of appeal since the right to sue would continue to survive unto the heirs of deceased appellant; this application is required to be allowed, and therefore, the following order is passed:

**:: ORDER ::**

1. The present application seeking amendment to join the heirs of appellant is hereby allowed. The cause title of appeal memo be amended accordingly and the appellant side shall file an amended memo of appeal on or before next date.
2. Looking to the fact and circumstances of this case, there shall be no order as to costs.

Signed and pronounced in the open court today on this **18<sup>th</sup> DAY OF APRIL, 2026 at Porbandar.**

Date:- 18.04.2026.  
Place:- Porbandar.

( **M. A. BHATTI** )  
Principal District Judge,  
**POR BANDAR**  
Code No. **GJ01506**