

Counsel for the petitioner present and submitted that, he has filed the memo in physical filing counter.

Perused the file, same is found in the record. In the memo the petitioner is contended that respondent No.1 dead and her Lrs are already on record they are petitioner and other respondents.

Counsel for the respondents submits no objection. Heard the both counsel on memo.

In the judgment of R.A.No.15/2018 the Hon'ble appellate court discussed that respondent No.1 was dead hence in view of death of defendant No.1 share of the plaintiff is increased and the plaintiff is entitled half share equal to her brother. Also opined that in view of changed circumstances the preliminary decree passed by this court is liable to be modified.

As per the above said circumstances, it is held that, the petitioner is entitled half share in the suit schedule property. The defendant No.2 and 3 are entitled half share of late Bhimaraya Biradar (brother of plaintiff) jointly.

Hence, office is directed to amend the preliminary decree regarding shares of parties.

Call on 21-11-2020.

Civil Judge and JMFC,
Jewargi.