

MHSCA2-003110-2019

IN THE COURT OF SMALL CAUSES MUMBAI

ORDER BELOW EXHIBIT NO.19

IN

R.A.D. SUIT NO.1502 OF 2019

Anil Bhagoji Malekar

]... Plaintiff

V/s

NEO Builders Limited

]... Defendant

And

1. Aparna anil Malekar & Ors.

]...Applicants/

Prop. Plaintiffs No.1(a) to 1(c)

S. R. Gelye, Ld. Advocate for Plaintiff.

R. K. Mishra, Ld. Advocate for Defendants.

Coram : Shri S. K. Bangad

Judge, C.R. No.06

Date : 22/03/2021

ORAL ORDER

Read application (Ex.19) filed by the plaintiffs and reply (Ex.20) filed by the defendants. Perused record and roznama.

2. The plaintiffs have filed present application for deleting name of plaintiff because he died on 23/10/2020. Suit is filed for declaration. So, the legal heirs of the plaintiffs are to be brought on record. Defendants have filed reply and stated that, they are not

concerned with the suit premises so they prayed for rejection of the application. Without going to the merits of the matter, the proposed LRs of plaintiff are to be brought on record. The plaintiff expired during the pendency of the suit. The legal heirs of the plaintiff's are necessary parties. So, I pass following order;

ORDER

1. The plaintiffs do make entry of deletion of plaintiff no.1 in cause title of plaint (Ex.1) and consequent amendment, if any on or before next date without any failure.
2. Costs in cause.

Mumbai
Date : 22/03/2021

(S. K. Bangad)
Judge, C.R.No.06