

MHAH190002362021



ORDER BELOW EXH.14 IN RCS. NO.63/2021

01. Plaintiff has filed this application to condone the delay for bringing legal heirs on record of deceased defendant No.3. Application is supported with affidavit. Defendants are not present in the instant suit. Hence, Ex-parte order is passed against them.

02. Heard. Perused record.

03. Defendant No.3 died on 03/11/2020. The present application is supported with affidavit and contended that it is necessary to bring on record legal heirs of deceased defendant no. 3 otherwise irreparable loss will be caused the present plaintiff.

04. The present suit is for measurement and perpetual injunction. As per the nature of suit it is necessary to bring on record legal heirs of deceased defendant no.3 to avoid multiplicity of proceedings and for ends of justice. Hence, in above facts and reasons forwarded, application is justified. Therefore I pass the following order.

ORDER

- (1) Application is allowed.
- (2) Delay is condoned to bring legal heirs of defendant no.3 on record.

Place : Shevgaon
Date 21/04/2023

(V. B. Dombe)
Jt. Civil Judge Junior Division,

Shevgaon.

Condoned/ Abatement Exh. 23

Exh. 25 order.

01. Plaintiff No.1 died on 19.09.2020 therefore his Lrs. Filed this applicaotn to bring them on record and proceed the suti further. Other side objected the applicaotn.

02. H. Perused record.

03. The suit it filed by more than one plainti contendint that cause of action jointly accrued to them. Hence, in the facts and circumstances of the case and nture of the suit, lr.s of plainti no.1 is required to be on record. Hence, I pass the following order.

01. Application allowed.

02. Lrs of plaintiff no.1 be brought on record as prayed in this application.

02. Applicant to carry necessary amenment.

Comply order- Rule-10 (4) C.P.C.