

ORDER BELOW EXH.40 IN R.C.S. NO. 130/2014

The present application has been filed by the plaintiff, for taking legal representatives of the deceased defendants No. 01 and 02, on record.

02. Perused the record and proceedings. On perusal, it appears that the plaintiff has filed an applications below Exh. 36 and Exh.38, for setting aside the abatement against the deceased defendants No. 01 and 02 and condonation of delay in bringing their legal representatives on record. In pursuance of the order passed below Exh. 36 and 38, the delay caused in bringing the legal representatives of the deceased defendants No. 01 and 02 on record, has condoned and the abatement has set aside.

03. Through the present suit, the relief of Maintenance has been sought by the plaintiff against the defendants. Considering the nature of relief sought and the rights of parties involved in the suit property, the legal representatives of the deceased defendants No. 01 and 02, as referred in the present application are required to be impleaded as parties. Furthermore, the right to sue survives to the legal representatives of the deceased defendants No. 01 and 02. Therefore, in order to enable the Court for effective and complete adjudication and to settle all the questions involved in the suit the presence of legal representatives of the deceased defendants No. 01 and 02, seems necessary. Hence, considering the aforementioned

facts and circumstances, I pass the following order.

:- ORDER :-

1. Application at Exh. 40 is hereby allowed.
2. The legal representatives of deceased defendants No. 01 and 02 as referred in the present application be taken on record and they be impleaded as defendants, to the suit.
3. The cause title be amended accordingly and copy of amended plaint be filed on record.

Date:- 24/02/2026.
Place:- Jamkhed.

Sd/-
(Anushri B. Phand)
Jt. Civil Judge Junior Division,
Jamkhed.