

ORDER BELOW EXH.15 IN R.C.S. NO. 161/2024

The present application has been filed by the proposed plaintiff No.1A, under Order XXII, Rule 3 of the Code of Civil Procedure, 1908 for taking legal representatives of the deceased plaintiff No.01, on record.

02. Perused the record and proceedings. On perusal, it appears that the proposed plaintiff No.1A has filed an application below Exh.24, seeking permission for condonation of delay caused in bringing legal representatives of the deceased plaintiff No.01, on record. Furthermore, the proposed plaintiff No.1A has also filed an application at Exh.13 for setting aside the abatement against the deceased plaintiff No.01. In pursuance of the order passed below Exh.13 and 24, the delay caused in bringing the legal representatives of the deceased plaintiff No.01 on record, has condoned and the abatement has set aside.

03. Through the present suit, reliefs of declaration and possession have been sought by plaintiffs against the defendants. Considering the nature of reliefs sought and the rights of parties involved in the suit property, the legal representatives of the deceased plaintiff No.01, 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 plaintiff No.01. 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 plaintiff No.01, seems necessary. Hence, considering the foregoing discussion, I pass the following order.

:- ORDER :-

1. Application at Exh. 15 is hereby allowed.
2. The legal representatives of deceased plaintiff No.01, Ajinath Kundalik Rode, as referred in the present application be taken on record and they be impleaded as plaintiff No.1A to 1D, to the suit.
3. The cause title be amended accordingly within fourteen days from the date of this order.

Date:- 16/06/2026.
Place:- Jamkhed.

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