

ORDER BELOW EXH. 28 IN R.C.S. NO. 157 OF 2020.

Present application has been placed on behalf of plaintiffs under Order 22 Rule 4 of Code of Civil Procedure, 1908 for taking legal representatives of deceased defendant no.1, on record. Ld. advocate appearing for the defendants no.1 and 2 has resisted the application by filing their say. Perused the application and say. Heard, learned advocates appearing for both the parties. Present application has been placed within the prescribed period of limitation. Through present suit, reliefs of declaration and injunction have been sought by the plaintiffs against defendants. Therefore, on the death of defendant no.1, his legal representatives will be having similar interest in defending the case as defendant no.1 had. Therefore, legal representatives of deceased defendant no.1 is essential to be impleaded as parties to the suit as their presence is necessary for the just decision of the suit. Considering said aspect, I pass following order:-

:: ORDER ::

1. Application at Exh. 28 is allowed.
2. Legal representatives of deceased defendant no.1 as referred in present application, be impleaded as parties to the suit.
3. Necessary amendment be carried out in the plaint, accordingly.

Date:-05/02/2026

Place:- Shrigonda.

(H. J. Pathan)

2nd Jt. Civil Judge, Senior Division,
Shrigonda.