

ORDER BELOW EXH.72

(Passed on 19-04-2025)

This is an application filed by the plaintiffs under Order I Rule 10 of the CPC for adding Poonam Avinash Kadam as legal representative of deceased plaintiff no.4 namely Ashadevi Ganeshrao Ingle on record of this suit.

2] In the application it is contended by the plaintiffs that, along with plaintiff no. 1 and 2 one Poonam Avinash Kadam is also legal representative of deceased plaintiff no.4. Said Poonam Avinash Kadam is a daughter of deceased plaintiff no.4. Therefore, this application be allowed and the plaintiffs be allowed to add said Poonam Avinash Kadam as legal representative of deceased plaintiff no.4 in the plaint of this suit.

3] The defendant no.1 has filed his say to this application at Exh.74. In his say he has mentioned that, in the earlier application Exh.63, the plaintiffs had not shown to Poonam Avinash Kadam as legal representative of deceased plaintiff no.4. Therefore, at this juncture they cannot be allowed to add said Poonam Avinash Kadam as legal representative of deceased plaintiff no.4.

4] Heard learned respective Advocates of both sides at length. Considering overall record and submissions it is very clear that, admittedly Poonam Avinash Kadam is a daughter of deceased plaintiff no.4 and being a daughter she is legal representative of deceased plaintiff no.4. Therefore, she is necessary party to this suit. In such circumstances this application deserves to be allowed as sought. Hence, I pass the following order.

ORDER

- 1) Application Exh.72 is hereby allowed and plaintiffs are hereby permitted to add the name of Poonam Avinash Kadam as one of the legal representative of deceased plaintiff no.4 on record of this suit.
- 2) Accordingly the plaintiffs shall amend their plaint on or before next dated of this suit and shall produce the copy of amended plaint on record by bearing the signature of newly added legal representative of deceased plaintiff no.4.
- 3) Costs in main cause.

Date : 19/04/2025.

(Mahesh S. Kale)
Civil Judge (Sr.Dn.),
Akot.