

**Order Below Exh.33 in RD No. 01/2019**

Manohar Trimbak Mundlik V/s. Fakira Tukaram Jadhav  
(Passed on 07<sup>th</sup> of July, 2023)

1. Perused the application and say. Heard learned Advocate for the J.D. and D.H.
2. The J.D. namely Fakira Tukaram Jadhav is reported to be died on 25/06/2021 at Balapur, Tq. Balapur District Akola. The execution petition filed for possession and damages.
3. Deceased J.D. was sole J.D. of the execution petition. After service of notice LR's of deceased J.D. are appeared and resisted present application. They are legal heirs of the deceased J.D. Therefore, the right to sue survives vide Order 22 Rule 4 of the Code of Civil Procedure.
4. The application to bring the legal representatives of the deceased J.D. on record of the execution petition is made within limitation period of 90 days as is prescribed by Article 120 of the Limitation Act, 1963, from the date of death of the deceased J.D.
5. The application is allowed.
6. The applicant is allowed to bring LR's of the deceased J.D. on record within 14 days from the date of this order.

Date : 07/07/2023.

(Smt. D. M. Patil)  
Judicial Magistrate First Class,  
Balapur.

I affirm that the contents of this P.D.F. File Judgment/Order are same, word to word, as per the original order.

Name of the Court	:- <b>Smt. D. M. Patil</b> Civil Judge, J.D. & J.M.F.C., Balapur
Name of the Stenographer	:- Shaikh Rafique Shaikh Rasheed
Date of Decision	:- 07/07/2023
Order signed by P.O on	:- 07/07/2023
Order uploaded on	:- 07/07/2023