

R.C.S. No- 78/2013.
Pralhad -Vs- Motiram.
CNRNO. MHA07-000887-2013.

Order Below Exh.No.39
(Passed on 27th February, 2020)

1. Perused the application, say and record of the case.
2. Heard.
3. Learned advocate for the plaintiff argued that during the pendency of the suit the defendant no.2 died. The defendant no.2 died on 24/07/2019. Legal heirs of the deceased are already on record. Therefore, amendment of the plaint is necessary. Learned advocate for defendants argued for suitable order.
4. It is a matter of record that vide pursis below Exh.36 and xerox copy of death certificate, learned advocate for defendant no.2 informed that the defendant no.2 died on 24/07/2019. The application filed by the plaintiff is supported by affidavit. Legal heirs of deceased defendant no.2 are already on record therefore, no question of abatement is arise. Hence, the following order.

Order

1. Application is allowed.

2. Plaintiff is permitted to delete the name of deceased defendant no.2 and to carry out necessary amendment in the plaint within 14 days from the date of this order.

Place: Balapur.
Date: 27-02-2020

(N.P. Talnikar)
Jt. Civil Judge (J.D),
Balapur.

Certificate

I affirm that the contents of this P.D.F. file are same word for word as per original order.

Name of Steno : S. M. Rothe
Court Name : Jt. C.J.J.D. & J.M.F.C., Balapur.
Date : 27/02/2020.
Signed by Presiding
Officer on : 27/02/2020.
Uploaded on : 28/02/2020.
