

RCS No. 17/2019
Ramesh+ 2 ..Vrs.. Bramadeo+3

ORDER BELOW EXH-42

(Dt. 15/03/2023)

The instant application is filed by plaintiffs for permission to bring legal heirs of plaintiff No. 3 Shrikrushna Baliram Thak on record.

2. It is contended by the plaintiffs that, the matter is fixed for evidence of the plaintiffs. However, during pendency of the suit, plaintiff No. 3 Shrikrushna has died on 02.09.2022 due to heart attack at village parad Tq. Murtizapur. Therefore, it is just and necessary to bring the legal heirs on record to avoid the complication in the matter. There are four legal heirs as mentioned in the application to deceased plaintiff No. 3. Hence, it urged to allow the application. The application is not opposed on behalf of the defendants.

3. Heard both sides. The death certificate on plaintiff No. 3 Shrikrushna would show that, he died on 02.09.2022. The instant application is moved on 19.10.2022 i.e. well within limitation. The right to sue survives to the proposed legal heirs. Therefore, there addition in place of deceased plaintiff No. 3 Shrikrushna is necessary. In the result, I proceed to pass the following order.

ORDER

1. Application stands allowed.
2. The necessary amendment shall be carried out within prescribed time.
3. Plaintiffs are directed to supply the amended copy of plaint.

Date- 15.03.2023

(M.Z.A.A.Q. Quraishi)
Civil Judge, Jr.Dn., Murtizapur.
MH02200.

CERTIFICATE

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

Name of the Stenographer	M.M.Dhapad
Name of the Court	M.Z.A.A.Q. Quraishi CJJD & JMFC, Murtizapur.
Date of Order & Judgment	15/03/2023
Order/Judgment Signed by the P.O. on	15/03/2023
Order/Judgment uploaded on	17/03/2023