



Common Order Below Exh. No. 87 and 88

(Passed on 05.02.2026)

01. The present application is filed by the plaintiff under Order 22 Rule 4 of the C.P.C along with application for condonation of delay to bring on record to Lrs of defendant.

02. It is the contentions of plaintiff that, the defendant is died on 06.09.2018 and information about same is filed by way of pursis on 05.10.2018. However, the plaintiff could not bring the Lrs of defendant on record as time is consumed in the collection of name and address of other Lrs of deceased defendant. Therefore, the plaintiff filed an application below Exh. No.79 for direction to proposed defendant Dipak Shivanarayan Sharma to submit the name and addresses other defendants. On the score the plaintiff prayed to allow the applications.

03. On perusal of record it appear that, the present suit is filed for declaration and recovery of possession against the Chairman of Maroti Deosthan Damori Tq. Bhtkuli, Dist. Amravati. The defendant Shivanarayan Sharma died on 06.09.2018 and information about his death is filed on 05.10.2018 below the Exh. No.60. The plaintiff pursuant to pursis below Exh. No.60 brought on record defendant Dipak Shivanarayan Sharma in view of order below Exh No.55. After that, the plaintiff has filed an application below Exh. No.96 for direction to the defendant Dipak Sharma to provide name and the address of the other Lrs of deceased defendant which came to allowed and necessary direction are given to defendant Dipak Sharma. Pursuant to said directions the defendant Dipak Sharma submitted the name and address of others Lrs of deceased defendant below Exh. No.11. After that, notices were issued to the other Lrs of deceased defendant

Shivanarayan Sharma which are duly served and they recorded their appearance through Ld Advocate U.N.Karde. The Lrs of deceased defendant are the necessary parties for deciding the suit on merit. It is settled position of law that, fair opportunity should be given to the parties to prove their contention on merit. Hence, I proceed to pass following order.

ORDER

01. The application below Exh. No.87 and 88 are allowed.
02. The delay whatsoever caused to bring on record the Lrs of deceased defendant Shivanarayan Sharma is condoned.
03. The plaintiff is permitted to bring on record the Lrs of deceased defendant.
04. The plaintiff is directed to rearrange the array of defendant while bringing on record the Lrs of deceased defendant to avoid future complications, if any.

Date. 05.02.2026

Vijay Govind Parware
Civil Judge Junior Division
Bhatkuli, Dist Amravati

CERTIFICATE

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

Name of the Stenographer : V.M.Bhangale,

Court name : Court of Civil Judge J.D. Bhatkuli.

Date : 05.02.2026.
Order signed by the

Presiding Officer on : 05.02.2026.

Order uploaded on : 05.02.2026.