

MHBI160004942011



R.C.S.No.58/2011

Bapu Vs. Rama and others.

ORDER BELOW EXH. NO.116

Perused the application and record of the suit. Heard learned advocate for plaintiff. Defendants are absent when called. Hence, I proceed this application without argument and say of defendants.

2. Record shows that, present suit is filed for partition and separate possession of ancestral properties. During pendency of this suit plaintiff no.1 Bapu Bhimaji Banage is died on 20/05/2024. Deceased plaintiff no.1 is survived by legal representatives as mentioned in the application. Considering the nature of suit, after death of plaintiff no.1, the right to sue, therefore, survives. Hence, after demise of plaintiff no.1, his legal representatives needs to be brought on record. If this is not done, then it will affect to rights of plaintiffs. Present application is filed within limitation. Hence, following order is passed.

Order

1. Application is allowed.
2. The plaintiff is permitted to bring on record the legal representatives of deceased plaintiff no.1 and amend the plaint accordingly and file amended copies of the plaint on record on or before next date.
3. Parties to note.

Date : 19/09/2024

Sd/-
(A.S. Jagtap)
Civil Judge Jr. Division,
Shirur kasar.

"I affirm that the contents of this PDF file are word to word as per original Judgment/order".

Sd/-
[P.B. Kusumkar]
Stenographer Grade-3

Dictated on : 19/09/2024

Transcribed on : 19/09/2024

Checked & signed on : 19/09/2024