

MHBI160010932021



**COMMON ORDER BELOW EXH.14 & 16 IN RCS NO.531/2021**  
(Trimbak Vs. Kacharu )

This is an application filed by legal representatives of deceased plaintiff to with prayer to bring them on record as a legal representative of deceased plaintiff.

2. Perused the application along with record of the suit. Heard learned advocate for both sides.

3. Record shows that, present suit is filed for removal of encroachment and possession. During pendency of this suit the plaintiff is died on 13/05/2024. Deceased plaintiff is survived by legal representatives as mentioned in the applications. Considering the nature of suit, after death of plaintiff, the right to sue, therefore, survives. Hence, after demise of plaintiff, his legal representatives needs to be brought on record. If this is not done, then it will affect to rights of applicant. Admittedly, delay of near about one month has been caused for bringing legal representatives of deceased plaintiff on record and hence abatement order came to be passed. But, in the interest of justice, in view of nature of suit and dispute between the parties, opportunity will have to be given to applicants to bring legal representatives of deceased plaintiff on record. Therefore, delay caused for bringing legal representatives of deceased plaintiff on record is needs to be condoned. Hence, following order is passed.

**Order**

1. The application filed at Exh. 14 and 16 are hereby allowed with cost.

2. Delay caused for bringing legal representatives of deceased plaintiff as prayed is hereby condoned.
3. Applicants are hereby directed to bring them on record as a legal representatives of deceased plaintiff and amend the plaint accordingly on or before next date.
4. Parties to note.

Shirur Kasar  
Date:- 02/04/2026

**( A.S.Jagtap )**  
Civil Judge Junior Division,  
Shirur Kasar

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

Sd/-  
[Sagar S. Ajabe]  
Stenographer Grade-3

Dictated on : 02/04/2026  
Transcribed on : -----  
Checked & signed on : 02/04/2026