

**ORDER BELOW EXH-23****(Passed on 14th day of January- 2026)**

This is an application filed by plaintiff for bringing Legal Representative of deceased defendant No.3 **Shri Vitthal Ghulu Madavi** on record.

2) Defendants have filed their say. The proposed legal representatives of deceased defendant No. 3 appeared and opposed the present application. Heard Ld. Counsel for plaintiff and defendants and Counsel for proposed Legal representatives of deceased defendant No. 3.

3) This is the suit for permanent injunction and recovery of possession. The learned counsel for plaintiff filed the present application which is duly supported by an affidavit stating that defendant No. 3 **Shri Vitthal Ghulu Madavi** died on 29/04/2023 leaving behind his legal representatives Smt. Sapana Vitthal Madavi, Prajwal Vitthal Madavi and Shrawani Vitthal Madavi. Therefore, plaintiff prayed for bringing legal representatives of deceased defendant No. 3 on record.

4) The deceased defendant No. 3 is survived by his legal representatives. The right to sue, therefore, survives through his son and daughter namely Prajwal Vitthal Madavi and Shrawani Vitthal Madavi as the wife of the deceased Sapana Vitthal Madavi is party defendant No.4 in this suit. The application to bring legal representatives of the deceased defendant No. 3 on record is made on 24/01/2025 and the defendant No.3 died on 29/04/2023 i.e. after 90

days from the date of death of defendant No. 3. The application for condonation of delay for bringing legal representatives of deceased defendant No. 3 is separately dealt with on 18/06/2025. Therefore, to decide the present matter on merit, it is necessary to take legal representatives of deceased defendant No.3 i.e. his legal representatives namely **Prajwal Vitthal Madavi** and **Shrawani Vitthal Madavi** on record. Being minor, these legal representatives can defend the suit through their guardian. I do not find any legal impediment to allow the present application. In view of the aforesaid, I pass following order;

ORDER

1. The application is allowed.
2. The plaintiff is directed to bring the legal representative of the deceased defendant No. 3 **Shri Vitthal Ghulu Madavi** on record as defendants No. 3-(A) and 3-(B) within stipulated period and also directed to carry necessary amendment to that effect.

Place : Rajura
Date :14/01/2026

(Nikhil L. Hemne)
Jt. Civil Judge, Junior Division,
Rajura, Dist. Chandrapur

Certificate

I affirmed that, the contents of this PDF file order are same word to word as per original order.

Name of Stenographer : Pratima A. Wasekar (Amade)
Court Name : Jt. Civil Judge, Jr. Dn. Rajura,
Chandrapur.
Order signed by P.O. : 14/01/2026.
Digital signed by P.O. : 14/01/2026.
Order uploaded on : 14/01/2026.