

Regular Civil Appeal No.98/2014

(CNR No.MHDH0010034522014)

Ramesh Sonawane

Vs.

Vasant Sonawane & others

ORDER BELOW EXH.40

1. The present application has been preferred by the appellant for permission to brought on record the legal heirs, who are already impleaded on record by as respondent no.1-B to 1-E of deceased respondent no.1-A Sarasvati Vasant Sonawane.

2. The say of respondents has been called. However, they failed to submit say. Thereby the present application proceed without say of respondent. In that regard no say order passed on overleaf of Exh.40.

3. By this application the applicant seeking the relief of permission to brought on record the legal heirs of deceased respondent no.-1A Sarasvatibai Sonawane who is died on 17.12.2020. He principally submitted that the Ld. Advocate of deceased respondent failed to make compliance of intimation of death of respondent no.1-A however, he has received death information of her recently. Moreover, the legal heirs of respondent no.1-A is already impleaded and appeared on record by as respondent no.1-B to 1-E. Thereby he does not want to brought on record any other additional legal heirs of said deceased

respondent. Her legal heirs are already appeared in the matter. Thereby in that regard amendment in title clause of appeal is an essential just by recording their names as legal heirs of deceased respondent no.1, for which seeking necessary permission.

4. The respondents are though directed to submit say, however they failed to raise their submission, objection. In the circumstance by this application the appellant sought the permission to brought on record the names of legal heirs of deceased respondent no.1-A, who are already impleaded in this appeal by respondent no.1-B to 1-E. Upon granted the relief asked by the appellant no any grave injustice or loss would cause to any else. The relief sought by the appellant just by formal in nature. The legal heirs of deceased respondent are already on record and does not want to brought on record any additional legal heir. Thereby they are very well aware about the impugned relief seeking by appellant. Moreover, they have not raised any objection though they have availed sufficient time and opportunity to submit their say. With this pass the following order-

ORDER

1. The present application below Exh.40 is hereby allowed.

2. The appellant is permitted to take note in regard to legal heirs of deceased respondent no.-1A Sarasvatibai Vasane

Sonawane, who are already impleaded in impugned matter by as respondent no.1-B to 1-E in the title clause of appeal memo.

3. The appellant is directed after compliance of this order submit on record fresh appeal memo within stipulated time without fail accordingly.

Place : Dhule.
Date : 26.09.2025.

(S. M. Tapkire),
District Judge-2, Dhule.

Certificate

I certify that the contents of this PDF file is word to word as per Original Judgment/Order.

Name of the Steno : J. H. A. Malik,
Name of the Court : District Court-2 & Additional Sessions
Court, Dhule.
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