

Reg. Civil Suit No. 39/2022
Hetram Khedkar vs
Jitendra Brahmankar

Order Below Exh. 38
(Dated 28.08.2024)

This application is filed by wife of deceased plaintiff for bringing the legal heirs of deceased plaintiff Hetram Tanaba Khedkar on record. She submitted that original plaintiff Hetram Tanaba Khedkar has died on 17.03.2024 at Sadak Arjuni. Therefore, applicant moved this application, and prayed that application may kindly be allowed.

2] Learned advocate for defendant failed to file his say on present application. Therefore, application is decided without say of defendant.

3] Heard learned advocate for deceased plaintiff. It reveals from the death certificate filed alongwith Exh. 42 that deceased plaintiff Hetram Tanaba Khedkar has died on 17.03.2024 at Sadak Arjuni. The present suit is for permanent injunction and declaration. Therefore, right to sue survive against the LR's of the deceased original plaintiff. The deceased plaintiff is survived by wife, one son and one daughter, they all are legal heirs of deceased plaintiff.

4] Considering the grounds mentioned in the present application. It is just, proper and reasonable to decide the suit on merit. Therefore, in the interest of justice and fair opportunity, I pass the following order.

ORDER

- 1] The application Exh.38 is allowed.
- 2] Applicant is directed to bring the legal heirs of deceased original plaintiff Hetram Tanaba Khedkar within 14 days.
- 3] The applicant is also directed to furnish the amended copy of the plaint. If applicant fails to bring the LR's of deceased original plaintiff on record within stipulated time and fail to furnish the amended copy of plaint, then this application be treated as rejected without any specific order.
- 4] Amended copy be supply to the defendant.

Date : 28.08.2024.

(Dr. Vikram A. Avhad)
Civil Judge Jr. Dn., Sadak Arjuni.

मी प्रमाणीत करतो की, या पीडीएफ फाईलमधील मजकुर व मुळ न्यायनिर्णय मधील मजकुर हा एकसारखाच आहे.

लघुलेखकाचे नाव : आर. डी. भुजाडे
कोर्टाचे नाव : डॉ. वि. अं. आव्हाड,
दिवाणी न्यायाधीश क. स्तर
व प्रथम वर्ग न्यायदंडाधिकारी, सडक अर्जुनी

न्यायनिर्णय/आदेश दिनांक : २८.०८.२०२४
पिठासीन अधिकारी यांनी सही केलेली तारीख : २८.०८.२०२४
न्यायनिर्णय/आदेश अपलोड केलेली तारीख : २८.०८.२०२४