



**ORDER BELOW EXH. 09**

. Appellant has filed this application for bringing the legal heirs of respondent no.1 (original defendant no.1) on record.

02. Appellant submitted that the defendant no.1 died on 05.07.2025. The suit is for possession of the suit property. Hence, the legal heirs of defendant no.1 be permitted to bring on record.

03. Notices were issued to proposed legal representatives. The proposed legal heir 1.1 namely Kantabai Damodhar Jadhav is already on record. The proposed legal heirs 1.2 and 1.3 appeared through advocate Shri. Dabhade. Notice was duly served to legal heir 1.1. The legal heirs filed say that except these legal heirs, there are no other legal representatives to defendant no.1.

04. Perused the record. The original suit RCS No.144/2016 was filed for possession of encroached area. It is submitted that defendant no.1 died on 05.07.2025. The application for bringing his heirs on record is filed within limitation i.e. on 08.09.2025. The right to sue survive against the legal heirs of defendant no.1. Hence, I proceed to pass following order.

**ORDER**

1. Application (Exh.09) is allowed.
2. Permission is granted to bring legal heirs of deceased defendant no.1 Damodhar Parasram Jadhav on record.
3. Appellant to carry out necessary amendment in the appeal memo on or before next date.

**(Smt. B. S. Gare)**  
District Judge-5 &  
Addl. Sessions Judge,  
Jalna.

Date: 10.06.2026.

## **CERTIFICATE**

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

Name of Stenographer : V. A. Dhone

Name of the Court : Court of Addl. Sessions Judge-5, Jalna

Date of PDF : 10.06.2026

sd/-

Stenographer (Grade-III)