

R.C.S. No.13/2020  
Sayyad Kamrodin V/s Sayyad Salim

**ORDER BELOW EXH.30**

This is an application to take legal heirs on record of deceased defendant no.10.

2] Perused the application and say of other defendants. Heard.

3] By the present application plaintiffs have submitted that, deceased defendant no.10 is died on 07/07/2021 and person named in the application are only legal heirs of him. They further submitted that, there are no legal heirs of the deceased defendant no.10 except these person. Hence, they prayed to take them on record as legal heirs of the deceased defendant no.10.

4] Advocate of other defendants has submitted that defendant no.10 is died and application filed by plaintiff for legal heirs is correct.

5] The suit is for perpetual injunction in respect of the suit property. As per contention of plaintiffs, the deceased defendant no.10 is died on 07/07/2021. Plaintiffs have filed copy of death certificate of the deceased defendant no.10 on record alongwith list of document at Exh.31. It shows that, the defendant no.10 is died on 07/07/2021 at Darga Raona, Tq. Ghansawangi Dist. Jalna. The present application is filed on 20/09/2021 i.e. within limitation.

6] The suit is for perpetual injunction in respect of the suit property. Therefore, right to sue survives. Hence, it is necessary to take on record legal heirs of the deceased defendant no.10. No loss would be caused to other side, if the application is allowed. Hence, I pass the following order;

**ORDER**

- 1] The application is allowed.
- 2] Plaintiffs are allowed to take legal heirs on record of the deceased defendant no.10.
- 3] Plaintiffs to make necessary changes till next date.

Sd/-

Place : Ghansawangi.  
Date : 02/12/2021.

(S. B. Shirsath)  
Civil Judge Junior Division,  
Ghansawangi.

**CERTIFICATE**

I affirm that, the contents of this PDF are same words for words, as per the original judgment.

Name of Stenographer : A.R.Gadade

Name of Court : Civil Judge (J. D.), Ghansawangi.

Upload on date : 02.12.2021.

Sd/-

(A.R.Gadade)

Stenographer Grade-3