

**COMMON ORDER BELOW EXH.25**

(Passed on 11-11-2022)

Perused the application and say filed on it. The plaintiff filed suit for partition and separate possession against the defendants. The present application filed by the plaintiff for bringing legal heirs of deceased defendant No. 7 on record. The Ld. Advocate for the defendants opposed the application on the ground that, the plaintiff has not filed the legal heirship certificate along with the application.

2. Defendant No. 7 Gayabai Baburao Tak is reported to have died on 24-11-2020. The deceased defendant is survived by his legal heirs. They are the legal heir of the deceased defendant. The right to sue, therefore, survives.

3. The application to bringing on record the L.R.'s of the deceased defendant No. 7, is made within limitation in view of the direction issued by the Hon'ble Supreme Court of India in SMW(C) No.3/2020. Further the applicant had sufficient cause which prevented for making application for bringing L.R.'s on record. Therefore, I pass the following order.

**ORDER**

1. The application is allowed.
2. The plaintiff is allowed to bring the L.R.'s of the defendant No. 7 Gayabai Baburao Tak on record of the suit within 14 days from the date of this order.

Date : 11-11-2022

( **N.V. Sahu** )  
Jt. Civil Judge (J.D.)  
Ghansawangi.