

**MHKO050019902022**



**ORDER BELOW EXH. 83 IN REG. CIVIL SUIT NO. 211/2022**

1. This is the application filled by the plaintiff for bringing legal heirs of defendant no. 4 on record as per order 22 rule 30, 4 of CPC.
2. Plaintiff has stated that after issued summons defendant no. 4 reported died as per bailiff report. It is necessary to bring legal of defendant no. 4 on record as per mentioned in the application. It will not cause any harm to defendant hence, prayed to allow the same.
3. Defendant has filled his say at Exh. 31 and stated that there is no reason to file this application. There is no nexus of defendant no. 4 to the property of defendant no.3 and also no nexus of defendant no. 3 to the property of defendant no.4. To harass the defendant no. 3 mental and economical, plaintiff has tried to show suit property no. 1A to E in common. There is no nexus of legal heirs of defendant no. 4 to the defendant no. 3. Hence, prayed to reject the same.
4. Heard Adv. It appears that there is no cogent reason in the application. But the right to sue survives against the defendant no.4. Hence, in the interest of justice it is necessary to bring LRs of defendant no. 4 on record by imposing some cost of plaintiff to compensate the defendant. Hence, the order.

**ORDER**

1. Application at Exh.21 is allowed subject to cost of Rs.100 /-.
2. Plaintiff is allowed to bring legal heirs of defendant no.4 on record within 14 days from the date of this order.
3. Plaintiff to make necessary amendment and supply amended copy of plaint.

Ichalkaranji  
Date: 09.01.2025

(S. S. Pednekar)  
4<sup>th</sup> Jt. Civil Judge Junior Division,  
Ichalkaranji