

MHKO070001382007

R.C.S.No. 47/2007

Malati Karve vs. Aanant Karve



ORDER BELOW EXH. NO. 119

Perused application and say. Heard both the sides. Applicants prayed for bringing the Lrs of the deceased defendant no.8 Raju @ Rajendra Shripal Karve on record. The learned advocate for the defendant endorsed their say behind the back of the application and prayed for necessary order may be passed.

2. Applicants contended that, the defendant no.8 died on 29-07-2024. The Lrs of the defendant no.8 mentioned in the application needs to be taken on record. The Ld. Adv. for the defendant no.7 to 9 submitted that necessary order may be passed.

3. The present suit is for partition and possession in respect of the suit property. It is necessary that every suit to be decided on the merit. On perusal of the suit it seems that there are valuable rights of the Lrs of the defendant no.8 are involved in the suit. The right to sue in respect of present Lrs of the defendant no.8 survives. The plaintiff alongwith Exh.118 filed the death certificate of defendant no.8. The present application is well within the limitation. Therefore, considering the reasons stated in the application it needs to be allowed. Hence, I pass the following in the interest of justice.

ORDER

1. Application is allowed.
2. The Lrs of the defendant no.8 be taken on record on or before next date.
3. Parties to take note accordingly.

Date:- 24/09/2024

(A.T.Mangire)
2nd Jt. Civil Judge, Jr. Div.,
Jaysingpur

I affirm that the contents of this P.D.F file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Shri.R.L.Mane.
Name of Court	2 nd Jt.C.J.J.D.& J.M.F.C., Jaysingpur.
Date of Dictation.	24/09/2024.
Judgment/order signed by the PO on	24/09/2024.
Judgment/order uploaded on	24/09/2024.