



ORDER PASSED BELOW EXH.49
IN REGULAR CIVIL SUIT NO.123/2014

[CNR No.MHKO090003092014]

The present application is filed by the plaintiff for directions to the defendant nos.2 and 3 for production of death certificate. It is the contention of the plaintiff that when plaintiff approached to the Nagar Parishad, Gadhinglaj for obtaining the death certificate of defendant no.1, the concerned authority refused to give death certificate and asked for Aadhar Card of defendant no.1. Therefore, he seeks directions to the defendants to submit the death certificate.

2. The defendants strongly opposed the application on the ground that death certificate is public document and it can be easily available. The defendant no.1 died on 11.06.2019 and defendant no.3 also died on 08.12.2023. The death certificate can easily be available. Hence, the present application is liable to be rejected.

3. Heard both the sides at length. Before touching to the merits of application, it is desirable on my part to mention the fact that the case is more than 10 years old and unnecessary protracting by the reason of death certificate. On perusal of say of defendants, it appears that the defendants also admitted the fact

of death of defendants. Giving directions and thereafter getting the copy of death certificate, will consume unnecessary time. As the matter is old one and therefore, need to be decided expeditiously. The fact of death of defendants is not in dispute. Therefore, I am of the view that it will be just and proper to direct the plaintiff to take steps for bringing LRs of deceased on record. If there is any objection regarding the death of defendants, the LRs of the deceased may take it when they appear. Hence, I pass the following order :-

ORDER

- 1] The plaintiff is directed to take steps positively for bringing legal heirs of defendants on record.
- 2] No order as to cost.

Place : Gadhinglaj.
Date : 22.01.2025.

(N. S. Puri)
Civil Judge Senior Division,
Gadhinglaj