


MHKO100001822010 	<b><u>REGULAR CIVIL SUIT NO. 45/2010</u></b> Nagavva Dundappa Jangunare & ors. Vs. Lakappa Martanda Jangnure & ors.
---	--

**ORDER BELOW EXHIBIT NO. 56**

The present application is filed for bringing legal representatives of the deceased defendant no.1 Lakappa Martanda Jangnure on record.

02. It is contended that, defendant no.1 Lakappa Martanda Jangnure died on 16/09/2021 and there are no other legal representatives of deceased defendant no.1 except those are mentioned in instant application. This application is supported by an affidavit.

03. Say of defendants was called and they filed say overleaf. It is submitted for defendants that, necessary order may be passed.

04. In view of Article-120 of Limitation Act the application for bringing legal representatives of deceased defendant or plaintiff ought to have filed within 90 days from the date of death of deceased plaintiff or defendant. In instant matter death extract of deceased defendant no.1 Lakappa Martanda Jangnure shows that, he died on 16/09/2021 and instant application is moved on 26/09/2022 which is not within the period of limitation. However, as per order passed below Exh.54 & 55 delay caused in bringing legal representatives on record is condoned. Further, defendants no where denied that, the legal representatives mentioned in application are not representatives of deceased defendant no.1 Lakappa Martanda Jangnure. Therefore,

there is no hurdle to allow the instant application. Hence, I proceed to pass following order.

**-: ORDER :-**

1. Application is allowed and plaintiffs are permitted to bring the legal representatives of deceased defendant no.1 Lakappa Martanda Jangnure on record after compliance of costs imposed as per Exh.54 and 55.
2. The plaintiffs shall carry out the necessary amendment in plaint on or before next date and shall supply the amended copy of plaint.

(Dictated and pronounced in open Court.

Gadhinglaj.  
Date: 19/11/2022.

**( S. A. Rathod )**  
2<sup>nd</sup> Jt. Civil Judge, Junior Division,  
Gadhinglaj.

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 stenographer	R. D. Patil.
Name of Court	S.A.Rathod, 2 <sup>nd</sup> Jt. Civil Judge Jr. Dvn. and Judicial Magistrate First Class, Gadhinglaj.
Date of Dictation	19/11/2022
Order signed by P.O. on	19/11/2022
Order uploaded on	19/11/2022