



Indira Purari & ors.
Vs.
Jayavant Kamble & ors.

ORDER BELOW EXHIBIT NO. 66

The present application is filed for bringing legal representatives of the deceased defendant no.10-A on record.

02. It is contended that, defendant no.10-A Anusaya Kalappa Matwade @ Matiwade died on 15/07/2022 and there are no other legal representatives of deceased defendant no.10-A except those are mentioned in instant application. This application is supported by an affidavit.

03. Say of other sides was called and defendants filed say overleaf and submitted that, the contentions in this application are totally false. Reasons are not sufficient. Therefore, they prayed to reject the application.

04. In view of Article-120 of Limitation Act, the application for bringing legal representatives of deceased plaintiff or defendant 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.10-A Anusaya Kalappa Matwade @ Matiwade shows that, she died on 15/07/2022 and instant application is moved on 19/10/2022, which is not within the period of limitation. However, as per order passed below Exh.72 delay caused in bringing legal representatives on record is condoned. Further, defendants nowhere denied that, the legal representatives mentioned in application are not representatives of deceased defendant no.10-A. 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.10-A Anusaya Kalappa Matwade @ Matiwade on record after compliance of costs imposed as per Exh. 72.
2. The plaintiff shall carry out the necessary amendment in plaint within 14 days and shall supply the amended copy of plaint.
3. After plaintiffs carry out necessary amendment and filed amended copy, issue summons to legal representatives of deceased defendant.

(Dictated and pronounced in open Court).

Gadhinglaj.
Date: 22/08/2025.

(S. D. Mehta)
Jt. Civil Judge, Junior Division,
Gadhinglaj.