

MHKO100002632022

REGULAR CIVIL SUIT NO. 57/2022



Krushna Patil.
Vs.
Dundappa Patil & Ors.

ORDER BELOW EXHIBIT NO. 24

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

02. It is contended that, defendant no.1 Dundappa Satgonda Patil died on 15/07/2023 and there are no other legal representatives of deceased defendant except those are mentioned in instant application. This application is supported by an affidavit.

03. Say of other sides were called and defendant filed say overleaf and submitted that, necessary order may be passed with cost.

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.1 Dundappa Satgonda Patil shows that, he died on 15/07/2023 and instant application is moved on 10/10/2023, within the period of limitation. Further, defendants no where denied that, the legal representatives mentioned in application are not representatives of deceased defendant no.1 Dundappa Satgonda Patil. Therefore, there is no hurdle to allow the instant application. Hence, I proceed to pass following order.

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-: ORDER :-

1. Application is allowed and plaintiff is permitted to bring the legal representatives of deceased defendant no.1 Dundappa Satgonda Patil on record.
2. The plaintiff shall carry out the necessary amendment in plaint within 14 days and shall supply the amended copy of plaint.
3. After plaintiff carry out necessary amendment and filed amended copy, issue notice to legal representatives of deceased defendant.

(Dictated and pronounced in open Court).

Sd/-

(S. A. Rathod)

Jt. Civil Judge, Junior Division,
Gadhinglaj.

Gadhinglaj.
Date: 22/02/2024.

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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, Jt. CJJD & JMFC, Gadhinglaj.
Date of Dictation	22/02/2024
Order signed by P.O. on	22/02/2024
Order uploaded on	22/02/2024