



Reg. Civil Suit No.65/1989
(CNR No.MHK0110000081981)

Order below Exh.163

1. This is an application by the plaintiffs for bringing legal representatives of defendant No.4 - Dinkar Rajaram Aparadh on record. They have submitted that, the defendant No.4 - Dinkar Rajaram Aparadh was expired on 28/02/2019. They further submitted that, (A) Smt. Padma Dinkar Aparadh (B) Sunil Dinkar Aparadh (C) Sudhir Dinkar Aparadh (D) Sangita Dinkar Aparadh (E) Sadanand Dinkar Aparadh are the legal heirs of deceased defendant No.4.
2. The say of defendants was called. However they failed to file their say, hence application proceeded without say of defendants.
3. Read application. Perused the record. On perusal it reveals that, the defendant No.4 - Dinkar Rajaram Aparadh was expired on 28/02/2019 and accordingly this application is filed within 90 days from the date of death of said defendant No.4. The application is well within limitation and supported with death certificate of defendant No.4. Therefore it is necessary to give permission to the plaintiffs for bringing legal representatives of defendant No.4 - Dinkar Rajaram Aparadh on record by making appropriate amendment. The proposed amendment will not change the nature of the suit or will not cause any loss or alarm to the defendants and will help to resolve the real controversy between the parties. Therefore the application deserves to be allowed. Hence I pass following order.

ORDER

- 1] The application is hereby allowed.
- 2] The plaintiffs are hereby permitted to bring legal representatives of defendant No.4 - Dinkar Rajaram Aparadh on record.
- 3] The plaintiffs are hereby directed to make necessary amendment in the plaint within the period of 14 days from the date of this order.
- 4] The plaintiffs are directed to file amended copy of the plaint on record, accordingly.

Date : 16/01/2020

(J. S. Gaikwad)
Civil Judge Junior Division,
Peth Vadgaon.