

Order below Exh.101

1. Read application. Heard Ld. Counsel for the plaintiffs. The Ld. counsel for the plaintiffs submitted that, the defendant No.5 – Parvati Bhupal Wagh was expired on 11/12/2004. She is not having legal heirs, except the defendant No.1 - Balu Yashwant Yadav, who is already on record. Hence the plaintiffs prayed to delete the name of defendant No.5 from the suit.

2. The say of defendants was called. They have filed their say and objected the application by submitting that, plaintiffs have filed this application at belated stage. Hence they prayed to reject the application with heavy costs.

3. Perused the record and documents. Considering the reasons mentioned in the application, it reveals that, the defendant No.5 – Parvati Bhupal Wagh is the legal heir of defendant No.1 - Balu Yashwant Yadav, who is already on record, as she is dead, it is necessary to delete her name. Therefore I pass the following order -

ORDER

1. The application is hereby allowed.
2. The name of defendant No.5 – Parvati Bhupal Wagh be deleted from the suit.
3. The plaintiffs are directed to carry out necessary amendment in the plaint and shall file amended copy of amended plaint on record.