

MHKO130002252012

RCS NO. 40/2012

Hari Narayan JadhavVs.Biru Appa Dhone**ORDER BELOW EXH. 61.**

01. The present application is filed by the plaintiff to bring on record legal-heirs of the deceased defendant no. 1/B Dhondiba Biru Done, who died on 10/07/2017. It is submitted that, legal-heirs of deceased defendant no. 1/B needs to be come on record. Thus, for the same purpose, the current application is filed.

02. Heard the learned advocate for the plaintiff. On perusal of record, it appears that defendants have failed to file say inspite of sufficient time & opportunity has been given to them. Hence, the application is proceeded without say of the defendants. When called out repeatedly defendant and his learned advocate are absent for argument. Hence, the application is proceeded without argument of the defendant.

03. Perused the record of the case.

04. No doubt, it is clear that, defendant no. 1/B Dhondiba Biru Done was died on 10/07/2017. His death certificate is on record. Now, as the defendant no. 1/B is dead, his heirs needs to be come on record for deciding the real dispute between the parties. Considering the record, names of legal heirs should be taken on record so as to provide an opportunity during the proceeding as the right to sue is survived. Considering all these aspects, the application deserved to be allowed and the names of the Legal heirs of defendant no. 1/B should be taken

on record. Therefore, I proceed to pass following order:-

	<u>ORDER</u>
1.	Application is allowed.
2.	The names of Legal-heirs of deceased defendant no. 1/B Dhondiba Biru Done are taken on record & they are permitted to proceed further as defendants no. 1/B/A & 1/B/B.
3.	The plaintiff is directed to amend the plaint and supply the amended copy of plaint on or before next date.

Kagal.
Date: 13/02/2026.

(Smt. Pranita S. Patil)
Jt. Civil Judge Junior Division
Kagal.