

MHKO130005532013

RCS NO. 123/2013



Shri. Satyappa Ganpati Gandugade & Ors.

Vs.

Shri. Abdulsar Mohiddin Nadaf & Ors.

ORDER BELOW EXH. 117.

01. The present application is filed by the plaintiff to bring on record as the legal-heirs of the deceased defendant no. 3 Shri. Tukaram Krushna Kesarkar, who died on 05/09/2022. It is submitted that, legal-heirs of deceased defendant no. 3 needs to be come on record. Thus, for the same purpose, the current application is filed.

02. The defendants have filed their say at the bottom of the application & they have given their objection to this application.

03. Perused the record of the case.

04. No doubt, it is clear that, defendant no. 3 was died on 05/09/2022. His death certificate is on record. Now, as the defendant no. 3 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. 3 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. 3 Tukaram Krushna Kesarkar are taken on record & they are permitted to proceed further as defendants no. 3/A to 3/C.
3.	The plaintiffs are directed to amend the plaint and supply the amended copy of plaint on or before next date.

Kagal.
Date: 24/01/2025.

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