

MHKO130009022015



ORDER BELOW EXH. 64 IN

R.C.S. No. 187/2015.

This application is filed by plaintiffs for taking legal-representatives of deceased defendant No.1 Chandrakant Gundu Dhawan on record. Defendant No. 1 has died on 14/02/2019. The present application is filed on 13/03/2019. Thus, the present application is within the statutory period (90 days) for bringing the legal-representatives of deceased defendant No.1 on record.

02. Defendant No. 2 and 3 have also replied at the overleaf of the application that legal-heirs of deceased defendant No.1 are already on record, hence legal-heirs are proper.

03. Following are legal-heirs of deceased defendant No.1 as reflected in the application :-

- 1] Smt. Rekha Chandrakant Dhawan.
- 2] Shital Sachin Kawade.
- 3] Snehal Sumit Mhater.
- 4] Rohini Nilesh Pandhare.

04. Notice were issued to these heirs. They have

appeared on 15/04/2019 and 29/04/2020. This legal-heirs have not taken any objection.

05. From perusal of roznama, it appears that this application has been allowed on 22/02/2019. However, on perusal of the record of the case, I cannot find order for this application. The present suit is instituted for recovery of possession of immovable property and perpetual injunction. Thus, right to sue survives and proposed legal-heirs do not have any objection. The application is within the statutory period, hence the following order is passed -

ORDER

1.	Application is allowed.
2.	The proposed legal-heirs of deceased defendant No.1 Chandrakant Gundu Dhawan are allowed to be taken on record as his legal representatives
3.	Plaintiffs are allowed to carry out the amendment in the plaint within 14 days from the date of the order.
4.	No order as to costs.

Date:- 19/12/2020
Place: Kagal

(Katkar Vijaya N.S.)
Jt. Civil Judge Junior Division,
Kagal.

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 the Stenographer :- Sidram V. Kamble

Name of Court :- Katkar Vijaya N.S. Jt. Civil
Judge (Jr.Dn.), Kagal.

Date of dictation/typed :- 19/12/2020

Judgment/order signed by the P.O. :- 19/12/2020

on

Judgment/order uploaded on :- 19/12/2020