



**ORDER BELOW EXH. 55 IN R.C.S. NO. 68/2011**  
**Sou. Shantabai @ Gangubai Maruti Teurwadkar Vs. Sou.**  
**Houshabai Vithoba @ Vitthal Patil, Ors..**

This is a suit for partition, separate possession and perpetual injunction. By application filed at Exh. 55, the applicants prayed to implead them in the suit being L.Rs. of deceased plaintiff Shantabai @ Gangubai Maruti Teurwadkar. In the application it is contended that, plaintiff Sou. Shantabai @ Gangubai Maruti Teurwadkar has died on 24/12/2020. Further it is contended that, the deceased plaintiff has left behind Legal heirs namely, Shri. Narasu Maruti Teurwadkar, Shri. Dayanand Maruti Teurwadkar, Sou. Vandana Hanmant Khavnekar of the deceased. According to the applicants, the application is filed within stipulated time for bringing L.Rs. on record. Thus, the applicants sought permission to bring L.Rs. of deceased plaintiff on record. Application is supported with affidavit of applicant No. 2 Shri. Dayanand Maruti Teurwadkar.

2. The application is strongly opposed and contested by the defendants by filing their say overleaf.

3. Heard, Sou. C.S.Patil, the ld. Advocate for the plaintiff and Shri. S.L. Patil, the ld. Advocate for the defendants.

4. It is a matter of record that, plaintiff died on 24/12/2020. This application is filed on 16/03/2021. Thus, the application is filed well within limitation. Considering the nature of the suit presence of L.Rs. of deceased plaintiff is necessary. There would be no hardship to the defendants if the application is allowed. On the contrary, if the application is not allowed, there would be loss to the L.R. of the plaintiff. Thus, the application deserves to be allowed. Hence, following order.

**ORDER**

The application below Exh. 55 is allowed.

The applicants are permitted to bring L.R. of deceased plaintiff on record whose names are mentioned in para No. 1 of the application.

The plaintiff to carry out necessary amendment in the plaint title within 14 days for passing of this order and also to file amended copy of the plaint along with copies thereof to supply them to all the defendants on record and also to file a copy of the amended plaint for preparation of decree.

Parties to note.

Sd/--

Date : 29.09.2021.

(Amrit C. Birajdar)  
Civil Judge, Jr.Dn., Chandgad.