

MHKO180004072012



R.C.S. No.199/2012

Gurunath Joshi vs. Sanjay Joshi  
and ors.

CNR NO.MHKO180004072012

**ORDER BELOW EXH.77**  
**(Dated 1st November, 2023)**

1] This application is filed by the plaintiff for bringing legal heirs of deceased defendant no.3 Shri.Suryakant Aannya Swami on record. As per his contention deceased defendant no.3 died on 24/06/2022. Smt.Sunita Suryakant Swami, Sou.Suchitra Suraj Jangam, Kum.Smita Suryakant Swami and Sourabh Suryakant Swami are the legal heirs of the deceased defendant no.3. They are required to be brought on record to proceed this suit. Hence requested to grant this application.

2] In spite of sufficient opportunities the proposed legal heirs no.3(1) (2) and 3(4) failed to file their say. Hence this application proceed further without their say.

3] Proposed legal heirs no.3(3) filed her say and requested to reject this application.

4] Heard advocate for both side. Perused record and proceeding. It shows that, death certificate of deceased defendant no.3 namely Shri.Suryakant Aannya Swami is filed on record vide list Exh.76. It shows that, deceased defendant no.3 Shri.Suryakant Aannya Swami died on 24-06-2022. It shows that present suit is filed for partition and separate possession therefore considering

the nature of suit and reason mentioned in the application. I think it would be just and proper to grant this application. Thus, I proceed to pass following order-

**ORDER**

1. Application is allowed.
2. The plaintiff shall carry out necessary amendment below Exh.1 on or before next date. He shall filed necessary copies of amended plaint.

Kurundwad.  
Date : 01/11/2023.

Sd/-  
( S. S. Ingle )  
Civil Judge J.D., Kurundwad.