

Reg. Civil Suit No. 63 /2014

CNR : MHKO19-000243-2014

ORDER BELOW EXH. 37

This is an application by plaintiff under order 22 Rule 4 for bringing of legal heirs of deceased defendant on record.

2. As per plaintiff defendant has expired on 04/05/2017. The suit is for partition and separate possession. Thus, it is necessary to bring the legal heirs of deceased defendants on record. Hence, present application.

3. Vide his say the Ld. Advocate for deceased defendant strongly combated the application on the ground that the plaintiff has not explained the cause of delay in making application. The content of application is false and frivolous. Ultimately, he has prayed for rejection of application.

4. Heard both sides. Perused record. Suit is for partition and separate possession. The application for setting aside the abatement preferred by plaintiff has already been allowed by court subject to cost of Rs.300/-. Consequently, the objection pertaining to delay in making present application raised by advocate for deceased do not hold substance. Thus, considering nature of suit it would just and proper to bring the legal heirs of deceased defendant on record. Hence, following order :-

Order

1. Application is allowed subject to compliance of order at Exh. 36 .

Radhanagari.

Date : 20-07-2018.

(M. H. Shitole)
Civil Judge, Jr.Dn., Radhanagari.

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I Affirm that, the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of the Stenographer	U.S.Telang
Name of Court	Civil Judge, Junior Division & Judicial Magistrate, First Class, Radhanagari.
Date of Dictation	20/07/2018
Order signed by the P.O. On	20/07/2018
Order uploaded on	27/07/2018