

R.C.A. No.56/2021
Laxman V/s. Dnyanoba
CNR No. MHLA010039052021

ORDER BELOW EXH.18

This is an application moved by L.Rs of deceased appellant Laxman to bring them on record.

2. It is contention of the applicant/L.Rs that appellant Laxman Mirkale died on 25.04.2025 and the applicants being wife, son and daughter of deceased are entitled to be brought on record in place of deceased appellant. They claim that right to sue survives to them. The respondent has objected the application by filing say at Exh.25. It is contention of the respondent that the heirship certificate has not been filed by the applicants to show that they are L.Rs of deceased. The respondent has prayed for rejection of the application.

3. Application has been duly supported by an affidavit. It has been stated on affidavit that the applicants are wife, son and daughter of the appellant. The respondent is the third party. If he doubts about the applicants being the L.Rs of deceased appellant, he can raise this point in appeal afterwards also. At this juncture, the applicants appear to be the legal representatives of the appellant and the right to sue survives to them. Hence, I am inclined to allow the application. Hence, I pass following order.

Order

1. Application is allowed.

2. The L.Rs of deceased appellant are allowed to be brought on record.
3. Amendment be carried out accordingly.

Date : 25/11/2025
Place : Latur

(Vidyadhar S. More)
Adhoc District Judge-1, Latur