

**Reg. Civil Suit No. 36 of 2026**  
**Shivkanya V/s. Parvati & ors.**

**ORDER BELOW EXH.7**  
( Passed on 23.04.2026 )

1. This is an application (Exh.7) filed by the plaintiff and thereby prayed to bring LRs of deceased defendant No.5 on record.
2. By way of this application it is averred by the applicants that defendant No.5 viz. Subhash Laxman Dhulshette is left for heavenly abode on 05.02.2026. The instant application has moved by the plaintiff on 16.03.2026. It is submitted that for full and final adjudication of the instant matter the LRs of deceased defendant No.5 needs to be brought on record. According to him, deceased defendant No.5 is survived by Ganesh Subhash Dhulshette and Mangesh Subhash Dhulshette. The suit is for partition and separate possession. The valuable rights of the parties have been involved therein, and thus the LRs of deceased defendant No.5 needs to be brought on record. Hence, the application for the reliefs sought for.
3. The defendants have filed their say and thereby submitted that as averred by the applicant, there are only two LRs to the deceased Subhash Laxman Dhulshette. Ultimately they have extended their no objection to allow the instant application.
4. Perused the record. Heard arguments on behalf of the applicant, for some time. Upon perusal of application along with record it appears that on 05.02.2026 defendant No.5 has left for heavenly abode and the instant application is moved on 16.03.2026, i.e. almost within one and quarter of the month. Thus, it is well within limitation. The application is supported by affidavit. Therefore, in order to enable the Court to effectively and completely adjudicate upon and settle all the questions involved in the suit, it is necessary to allow the application. Further, the proposed LRs mentioned above are the only LRs of deceased defendant No.5. They are sons of the deceased defendant No.5. It is obvious that the right to sue survives in them. Thus, the proposed LRs of the deceased defendants needs to be brought on record. With theses considerations, the application needs to be allowed. In result, following order is passed :

**ORDER**

- 1) The application (Exh.7) is allowed.
- 2) The plaintiff to carry out necessary amendment and file amended plaint on record.
- 3) Issue summons to the LRs of deceased defendant No.5 in Form No.6 of Appendix B in the First Schedule to the Code of Civil Procedure, 1908.

Date : 23.04.2026

(Bhalchandra R. Zende)  
3<sup>rd</sup> Jt. Civil Judge (J.D.),  
Udgir.