

Order below Exh.38 in Spl.CS No.1/2018

By this application plaintiff has requested for granting permission to bring the legal heirs of deceased defendant on record, on the grounds stated in the application. The application is proceeding ex-parte against Gousa Masum Shaikh-Kotwal. The other legal heirs of deceased defendant appeared but failed to file their say. Perused application. Heard learned advocate Shri D.B.Salunke for plaintiff. From the contents of application it appears that defendant died on 21/12/2022. Plaintiff has filed death certificate of defendant at list below **Exh.37/1** and it shows that defendant died on 21/12/2022. This application is filed by plaintiff on 13/01/2023 i.e. within limitation. I pass following order:-

ORDER

1. Application is allowed.
2. Plaintiff is hereby permitted to bring the legal heirs of deceased defendant on record by carrying out necessary amendment in title clause of the plaint.
3. Plaintiff shall provide copy of amended plaint to the Court and for the legal heirs of deceased defendant at the earliest.
4. Suit summons be issued to legal heirs of deceased defendant, once they are added in the title clause of the plaint.
5. No order as to costs.

Date : 10/10/2024

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist. Latur.