



ORDER BELOW EXH.124

01) This is an application filed by the plaintiff for taking on the record the L.R.s of deceased defendant no.2 namely Narayan Bapurao Somwanshi.

02) It is contended that the plaintiff has filed the present suit for possession along-with future mesne profit. During the pendency of the suit the defendant no.2 namely Narayan Bapurao Somwanshi died on 17/07/2022 leaving behind him the legal representatives Dhondiram Narayan Somwanshi and Pandit Narayan Somwanshi as shown in Para No.1 of this application. So, the legal representatives of deceased defendant no.2 Narayan Bapurao Somwanshi be taken on the record of the suit.

03) The defendants filed their say and strongly objected to bring on record the legal representatives of deceased defendant no.2 namely Narayan Bapurao Somwanshi on the record of the case. It is further submitted that, the documents filed along-with the application are the xerox copies which cannot be considered while deciding the application, so application may be rejected with heavy cost.

04) Heard Ld. Counsel for the plaintiff and defendants. The defendant no.2 namely Narayan Bapurao Somwanshi died on 17/07/2022. The xerox copy of death certificate is placed on record on behalf of the plaintiff. The application is supported by an affidavit. The right to sue survives to the legal representatives of the deceased defendant no.2 namely Narayan Bapurao Somwanshi The present suit is for recovery of possession along-with future



mesne profit. The legal rights of the legal representatives are involved in it. Hence, following order is passed to meet the ends of justice :-

ORDER

- a) The application is allowed.
- b) The plaintiff is allowed to bring on record the legal representatives of deceased defendant no.2 namely Narayan Bapurao Somwanshi.

Place: Nilanga.
Date : 12/09/2022.

(Anand S. Munde)
Jt. Civil Judge, S. D., Nilanga.