

ORDER BELOW EXH.39
CNR No.MHLA150001552014

Plaintiff, defendant and their respective advocates all are absent. Perused the application. Defendant has failed to file his say. The defendant Bashir s/o Abdulla Chisti is reported to have died on 06/02/2019. This suit is for cancellation of sale deed, declaration of the sale deed null and void and for perpetual injunction. The deceased defendant is survived by his legal representatives as mentioned in para-3 of this application. They are legal heirs of the deceased defendant. The right of sue therefore survives. The application to bring the legal representatives of the deceased defendant on record of the suit is made within limitation period of 90 days as is prescribed by Article-120 of the Limitation Act, 1963 from the date of death of the deceased defendant. In the result, I pass the following order.

ORDER

1. Application is allowed.
2. The plaintiff is allowed to bring the legal heirs of the deceased defendant on record of suit within stipulated period of 14 days from the date of this order.

Date- 26-06-2019

(A.S. Alewar)
C.J.J.D., Chakur.