

Order below Exh. 20 in R. C. S. No.473/2020.
Shivaji Somwanshi Vs. Meghsham Patil.
CNR No.MHLA170010422023

The plaintiff has filed application under Order VI Rule 17 of the Civil Procedure Code. It is submitted by the learned counsel for the plaintiff that the plaintiff died on 03.08.2023. he has wife, three daughters and one son. Their names are as follows:

1. Kantabai Shivaji Somwanshi (wife) age 77 years, r/o Wanwada, Tq. Ausa.
2. Parwati Bhaskar Vethale (daughter) age 54 years, r/o Wanwada, Tq. Ausa.
3. Usha Sandipan Gaikwad (daughter) age 48 years, r/o Taka, Tq. Ausa.
4. Manisha Shivaji Somwanshi (daughter) age 41 years, r/o Wanwada, Tq. Ausa.
5. Annarao Shivaji Somwanshi (son) age 36 years, r/o Wanwada, Tq. Ausa.

They are legal heirs of deceased Shivaji Somwanshi. Therefore, it is prayed by the learned counsel for plaintiff that their names be added in the plaint.

2. Perused the say of defendant. He has objected the application on the grounds that the application is vague and incomplete. The application is not submitted as per procedure prescribed in the Code of Civil Procedure. The details of age, occupation, residence is necessary in such application. The application is not supported by the affidavit.

3. Heard learned counsels for both the parties.
4. At this stage it is necessary to add the names of legal heirs of deceased plaintiff Shivaji Somwanshi for just decision of the suit. Allowing this application will not change the nature of suit. No prejudice will be caused to defendant if this application is allowed. Hence, I pass following order:-

ORDER

- 1] The application is allowed.
- 2] Names of Kantabai Shivaji Somwanshi (wife) age 77 years, r/o Wanwada, Tq. Ausa, Parwati Bhaskar Vethale (daughter) age 54 years, r/o Wanwada, Tq. Ausa, Usha Sandipan Gaikwad (daughter) age 48 years, r/o Taka, Tq. Ausa, Manisha Shivaji Somwanshi (daughter) age 41 years, r/o Wanwada, Tq. Ausa and Annarao Shivaji Somwanshi (son) age 36 years, r/o Wanwada, Tq. Ausa be added in the plaint as legal heirs of deceased plaintiff with their address.
- 3] Amendment shall be carried out within 14 days from this order.
- 4] No order as to costs.

Date: 18.09.2023
Place:-Ausa.

(P. I. Mokashi)
Civil Judge Senior Division,
Ausa.