

ORDER PASSED BELOW EXH.44

(Passed On: 19.09.2022)

1. The present application came to be filed by plaintiffs for taking legal representative on record in place of deceased Defendant No. 1. By way of present application plaintiffs have contended that the Defendant No. 1 Shamsing Ditya Valvi came to be died on 06.07.2022 at Dhavlipada, Tal. Navapur. As per contention of the plaintiffs the Defendant No. 1 has left his wife, two sons and two daughters as his legal heirs. As per contention of plaintiffs wife, sons and daughters of the deceased Defendant No. 1 are only legal representative of the deceased defendant No.1 so plaintiffs prayed to allow present application and to take L.R. of the deceased Defendant No. 1 on record.

2. The defendant filed his say and no objection to the application.

3. Heard Ld. Advocates for the parties. On perusal of record the copy of death certificate of the Defendant No. 1 is filed on record, which shows that the Defendant No. 1 to be died on 06.07.2022 at Dhavalipada, Tal. Navapur. As per contention of plaintiffs deceased the Defendant No. 1 has wife, two sons and two daughters as his legal representative. On perusal of application it clearly appears that the person named in the application are wife, sons and daughters of the deceased Defendant No. 1 while deciding application for taking legal representatives on record technicalities need not be considered moreover legal representatives of deceased are required to give opportunity to represent the deceased. Hence following order is passed..

ORDER

1.	Application below Exh. 44 is allowed. Wife, Two Sons and Two Daughters of the deceased Defendant No. 1 Shamsing Ditya Valvi are taken on record as legal representative of the deceased defendant No. 1.
2.	Plaintiffs shall carry out amendment and file amended plaint on or before next date.

Navapur

Date: 19.09.2022

(Pankaj R. Phulari)
Civil Judge (Jr. Div.)
Navapur.

CERTIFICATE

“ I affirm that the contents of this PDF file order are same word for word as per original order.”

Name of Stenographer	:	M. N. Ahirrao, Stenographer (Grade-III),
Court Name	:	Shri. P.R. Phulari, C.J.J.D., Navapur
Date	:	19.09.2022
Order signed by presiding officer on	:	19.09.2022
Order uploaded on	:	20.09.2022