

R.C.S. No.16/2014

Saraswata .Vs. Ravindra & Ors.

ORDER BELOW EXH. 96

1] This is an application for bringing on record legal-heirs of the deceased defendant No.1 Ravindra Khodke.

2] It is the contention of the plaintiff that on 14.02.2019 defendant No.1 died leaving behind legal-heirs mentioned in the application. This facts came to the knowledge of the plaintiff when counsel of the defendant filed pursis on record. Hence, she filed this application for bringing L. R.s of defendant No.1. On the other hand defendants have filed their reply on this application and contented that pass suitable order.

3] Perused the record. Heard both sides.

4] It is the contention of the plaintiff that during pendency of the suit defendant No.1 expired on 14/02/2019 leaving behind L. R.s. This suit for declaration, partition and separate possession against defendants. Therefore, right to sue survives. The present application is within limitation as per article 120 of the Limitation Act,1965. Hence, I proceed to pass the following order :-

ORDER

- 1) Application (Exh.96) is allowed.
- 2) The plaintiff is directed to carry out necessary amendment within stipulated time and furnish copy of amendment plaint

Dated:- 04/04/2019

(D.B. Gutte)
Civil Judge Junior Division
Kuhi.

CERTIFICATE

I affirm that the contents of this P.D.F. file of Order are word to word, as per original Order.

Name of Stenographer : Pravin T. Mandale

Endorsement

Case argued on	:	04.04.2019
Order dictated on	:	04.04.2019
Transcription ready on	:	04.04.2019
Order checked and signed on	:	04.04.2019

DISTRICT COURT
NAGPUR