

MHNG130022092015**M.J. Cases No. 14/2016***Ratiram Ramteke*

v.

*Devkabai Ramteke***ORDER BELOW EXH. 23**

(Passed on dated 16/10/2025)

This application filed by plaintiff no.2 for bringing the legal heirs of deceased plaintiff No.1 Ratiram Sitaram Ramteke on record. By this application, it is submitted that plaintiff No.1 died on 27/01/2025 i.e during the pendency of this suit and leaving behind his legal heirs mentioned in the present application. The present application is filed within limitation. No prejudice will be caused to the other side and accordingly prayed for allowing the present application.

2. In spite of service of notices to the proposed legal heirs of plaintiff No.1, they neither filed their say nor appeared before the Court. Moreover, defendants have also not filed their reply till today. Hence, application proceeded without their say.

3. After considering the submissions and on perusal of record, it appears that the present application is filed for breach of temporary injunction. The plaintiff No.1 died on Dt. 27.01.2025 and plaintiff no.2 wants to bring on record his Legal heirs. The right to sue survive against the legal heirs of the deceased plaintiff No.1. The application is filed

within limitation period i.e. 90 days from the date of death. The contention in application are on the solemn affirmation of plaintiff. Moreover, no prejudice will be caused to the other side, if the present application is allowed. Considering the reason, in the interest of justice, I proceed to pass following order :

ORDER

1. The application Exh.23 is allowed.
2. Plaintiff is permitted to substitute name of legal heirs of deceased plaintiff No.1 as prayed.
3. Plaintiff no.2 to carry out necessary amendment within 14 days from the date of this order.

Date: 16/10/2025

Sd/-
(D. C. Vorani)
Joint Civil Judge Junior Division,
Court No. 2, Ramtek.