

MHNG180000032001

**ORDER BELOW EXH. 65****Aruna Vs. Baliram****(Passed on this 22<sup>th</sup> September, 2022)**

1. Present is an application for bringing legal representatives of deceased defendant No. 2. Record reveals that, application to condone delay for bringing legal representatives on the record was decided by my Ld. Predecessor on 13.12.2019. Accordingly, the plaintiffs have deposited amount of costs on 24.03.2022.

2. The suit is for declaration, partition and separate possession. The right to sue survives against legal representatives of deceased defendant No.2. No decree executable can be passed without adding them in a suit as defendants. Therefore it would be just and proper to allow the application. Therefore, I pass order.

**ORDER**

1. The application is allowed. The plaintiffs are directed to amend the plaint accordingly.
2. Issue summons to newly added defendants.
3. The plaintiff shall take effective steps for service of summons on legal representatives of deceased defendant No.2.
4. Costs in cause.

**Kalmeshwar.**  
**Date: 22.09.2022.**

**(Y.S. Kawade)**  
**Jt. Civil Judge Junior Division,**  
**Kalmeshwar, Dist. Nagpur.**

**ENDORSEMENT**

Application Argued on	:	22.09.2022
Order dictated on	:	22.09.2022
Transcription Ready on	:	22.09.2022
Order checked and signed off	:	22.09.2022

**CERTIFICATE**

I affirm that the contents of the this PDF file order are same word to word,  
as per the original Order.

Name of the Stenographer           :-       R.S. Daware (Gr. III)