

MHNG180005042017



**Regular Civil Suit No. 34/2017
Tukaram Vs. Liladhar & Ors.**

ORDER BELOW EXH. No. 40
(Passed on 08th December, 2022)

1. This is an application filed by LR's of plaintiff for bringing them as LR's of deceased plaintiff on record as defendant No.1(a) to 1(d). Say of other side has been called. Say filed by other side on the application. Perused the application and document on record. Heard Learned counsel for plaintiff.

2. On perusal of record the plaintiff is died on 06.05.2021 leaving behind his legal heirs i.e. Sindhu wd/o. Tukaram Durge, Darshana w/o. Hemant Kelwade, Ashwini w/o. Kailash Dighore and Minakshi w/o. Manish Mandaokar. LR's of plaintiff further submitted that, the daughter of plaintiff namely Minakshi Manish Mandaokar had performed her marriage without the consent of her parents and since then she is residing separately with her husband and applicants are not having knowledge about the whereabouts of her. As such she may be added as plaintiff No. 1(d) or defendant No. 5. The application has been filed within limitation. Considering nature of the suit, right to sue survives therefore, it is necessary that LR's of deceased plaintiff to be made as plaintiff No. 1(a) to 1(c) and defendant No. 5 to the suit. Hence, I passed following order :

ORDER

- (1) Application is allowed.
- (2) Name of Sindhu wd/o. Tukaram Durge, Darshana w/o. Hemant Kelwade and Ashwini w/o. Kailash Dighore are hereby bring on record as plaintiff No. 1(a) to 1(c) and name of Minakshi w/o. Manish Mandaokar is hereby bring on record as defendant No 5.

- (3) The Ld. Counsel for the plaintiff shall make amendment in title clause of his plaint Exh.1, accordingly within 14 days.
- (4) Parties to bear their own costs.

Place : Kalmeshwar
Date : 08.12.2022.

(Smt. J. D. Hushangabade)
Civil Judge Junior Division,
Kalmeshwar.

CERTIFICATE

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

R.S. Daware
Stenographer (Grade III)