

RCS No. 37/2019
Mahavir Vs. Bhaiyalal & Ors.

ORDER BELOW EXH.10
(Passed on 15th September, 2022)

1. This is the application filed by plaintiff, for bringing LR's of deceased defendant No. 4 on record. Say of other side has been called. Perused the application and say. Perused the document on record. Heard Learned counsel for the plaintiff and LR's of defendant No.4.

2. On perusal of death certificate of deceased defendant No. 4 Namdeo Tejram Belekar, it appears that he died on 04.08.2019. Thereafter, on 13.09.2019 plaintiff filed this application. 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 defendant No. 4 to be made defendants to the suit. Hence, I have passed following order :

ORDER

- (1) The application is allowed.
- (2) Names of the applicants are hereby bring on record as defendant Nos. 4(a) to 4(e).
- (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 : 15/09/2022.

(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)