

**REGULAR CIVIL SUIT NO. 61/2017**  
**Indubai V/s Vasant**  
**MHNS130007072017**



**ORDER BELOW EXH. NO.55**

In a suit for partition and perpetual injunction, this application is filed by plaintiff to bring on record legal heirs of deceased defendant no.1 Vasant Tukaram Kedare. The application is opposed by the defendant no.3 by filing his say on the overleaf. Perused the application and say. Heard both sides and considered their submissions. It is submitted that, defendant no.1 Vasant Tukaram Kedare died on 24/02/2025 and therefore his legal heirs required to be brought on record.

2] On the other hand Ld. advocate for the defendant no.3 opposed the application. He has denied all the contentions of the application. There is delay of bringing LR's on record. He prayed to reject the application.

3] On perusal of death certificate of deceased filed with list at Exh.No.57, it appears that defendant no.1 is died on 24/02/2025. Application is supported by an affidavit below Exh. No.56. Delay caused is already condone vide order below Exh.No.53 and thereby abatement against deceased defendant no.1 is set aside. Considering the nature of the suit I found that this application deserves to be allowed. No prejudice would caused to any party if this application is allowed. Hence, I pass following order :-

**ORDER**

- 1] The application below Exh.No.55 is allowed.
- 2] The legal heirs of deceased defendant no.1 Vasant Tukaram Kedare be taken on record.

- 3] The plaintiff to carry-out necessary amendment and produce the amended copy on record within 14 days and proceed further.
- 4] Cost in main cause.

Date :- 10/07/2025

Place :- Pimpalgaon (B).

sd/-xxx

( V. W. Khendad)

2<sup>nd</sup> Jt.Civil Judicial Junior Division  
Pimpalgaon (B)