

ORDER BELOW EXH. 11

Vasant V/s Mandabai

Read the application and say filed by defendant. Perused record. Heard both the Counsels.

2] This is a suit for fixation of boundaries and possession of encroached area. Wherein application for taking L.Rs. Of plaintiff No. 1 is filed.

3] It is submitted that, plaintiff No. 1 Vasant Shivram Gawali died on 28/02/2019. His L.Rs. are necessary parties to the suit. Hence, the present application.

4] By way of filing say, defendant resisted the application. It is submitted that, the contents of application are not reliable and prayed to reject the application.

5] Perusal of Death Certificate of plaintiff shows that, plaintiff No. 1 died on 28/02/2019. It is necessary to take the L.Rs. Of deceased party to the suit within 90 days. The application appears to be within limitation. Hence, I am inclined to allow the application and in result following order is passed.

ORDER

- 1] Application Exh. 11 is allowed.
- 2] Plaintiff to carryout necessary amendment on or before next date.

Sd/-xxx
(Vijay C. Gawai)
Civil Judge Junior Division,
Pimpalgaon (B.), Tal. Niphad,
Dist. Nashik.

Date : 25/04/2019