

MHOS100000162019



Reg.Civil Suit No.10/2019

(CNR No.MHOS100000162019)

Order below Exh.29

1. The plaintiff No. 2 has filed this application for bringing legal representatives of plaintiff No. 1 – Popat Changdev Gapat on record. The plaintiff further submitted that, the plaintiff No. 1 – Popat Changdev Gapat was expired on 22/05/2021. The deceased plaintiff No. 1 – Popat Changdev Gapat left behind 1) Baby Popat Gapat, Age- 53 years, Occu- Household, R/o. Indapur, Tal. Washi, Dist. Osmanabad, A/p. Uplai road, Gondil plot, Barshi, Tal. Barshi, Dist. Solapur, 2) Bhausahab Popat Gapat, Age- 38 years, Occu- Private Service, R R/o. Indapur, Tal. Washi, Dist. Osmanabad, A/p. Uplai road, Gondil plot, Barshi, Tal. Barshi, Dist. Solapur as his legal heirs. Hence, plaintiff want to bring them on record.

2. The say of defendants was called. Ld. Counsel for the defendants has strongly objected the application and prayed to reject the application.

3. Read application and say. Heard. Perused the record. On perusal it reveals that, plaintiff No. 1 – Popat Changdev Gapat was expired on 25/05/2021. The plaintiff has moved separate application for delay condonation and same are allowed. After the death of plaintiff No. 1 – Popat Changdev Gapat, right to sue survives on their heirs, therefore they are required to be taken on record. Therefore it is necessary to give permission to the plaintiff for bringing legal representatives of plaintiff

No.1 on record. On the other hand, defendants No. 1 to 7 needs to be compensated in terms of costs. Therefore the application deserves to be allowed. Hence I pass following order.

ORDER

- 1] The application is hereby allowed subject to costs of Rs.300/- (Rs. Three Hundred), it be equally paid to the defendant 1 to 7.
- 2] The plaintiff is hereby permitted to bring legal representatives of deceased plaintiff No. 1 – Popat Changdev Gapat on record.
- 3] The plaintiff is hereby directed to make necessary amendment in the plaint.
- 4] The plaintiff is hereby directed to file amended copy of the plaint on record within 14 days.

Date : 23/11/2022

(J. S. Gaikwad)
Civil Judge Junior Division,
Washi.

CERTIFICATE

I affirm that, the contents of this P.D.F. file Judgment / order are same, word to word, as per the original Judgment/order.

Name of Stenographer	---	A.A. Joshi, Stenographer, (Grade-III)
Court	---	Civil Court, Washi, Tal. Washi, Dist. Osmanabad
Date	---	23-11-2022
Order signed by the presiding officer on	---	23-11-2022
Order uploaded on	---	23-11-2022

