

MHOS100011072016



Reg.Civil Suit No.539/2016
(CNR No.MHOS100011072016)

Order below Exh.26

1. The applicants have filed this application under Order 22 Rule 3 of The Code of Civil Procedure for bringing legal heirs of plaintiff No. 1- Pandurang Keshavrao Kulkarni on record. They submitted that, plaintiff No. 1- Pandurang Keshavrao Kulkarni was expired on 10/02/2018. They further submitted that, (1) Mina Pandurang Kulkarni- Wife (2) Ashish Pandurang Kulkarni- Son (3) Sachin Pandurang Kulkarni- Son (4) Pradnya Amol Mirashi- Daughter all R/o. Hyderabad (State-Telangana) are legal heirs of deceased plaintiff No. 1.

2. The say of defendants was called. The defendants have not filed their say. Hence, application is proceed without their say.

3. Read application and say. Heard. Perused record. On perusal it reveals that, applicants have filed suit for possession of suit property. The plaintiff No. 1- Pandurang Keshavrao Kulkarni was expired on 10/02/2018 at Hyderabad. The applicants have moved this application on 16/04/2018 which is well within limitation. Applicants also submitted that,

(1/A) Mina Pandurang Kulkarni- Wife (1/B) Ashish Pandurang Kulkarni- Son (1/C) Sachin Pandurang Kulkarni- Son (1/D) Pradnya Amol Mirashi- Daughter are legal heirs of deceased-plaintiff No. 1. To support their contentions they filed death certificate of deceased Pandurang Keshavrao Kulkarni along with list at Exh. 31. After the death of plaintiff No. 1, right to sue survives on his heirs, therefore, applicants are required to be taken on record. Therefore, it is necessary, to give permission to applicants for bringing legal representatives of deceased plaintiff No. 1 on record. Therefore, the application deserves to be allowed. Hence, I pass following order.

ORDER

- 1) The application is hereby allowed.
- 2) The applicant No. 1/A to 1/D of deceased plaintiff No. 1- Pandurang Keshavrao Kulkarni be brought on record accordingly.
- 3) The plaintiffs are hereby directed to make necessary amendment in the plaint.
- 4) The plaintiff are hereby directed to file amended copy of the plaint on record, accordingly.

Date: - 20-03-2023.

(J.S. Gaikwad)
Civil Judge Jr. Division, Washi,
Tq. Washi, Dist.Osmanabad.

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	---	20-03-2023
Order signed by the presiding officer on	---	20-03-2023
Order uploaded on	---	20-03-2023

