

ORDER BELOW EXH.82
(Passed on 16th December, 2025)

Plaintiff has filed the present application for amendment of plaint on the ground that defendant No.1 Rama Balbhim Dongare died on 09.05.2021 and his LR's needs to be brought on record.

02. Despite of order to issue notice to proposed LR's of deceased defendant No.1, it was not issued due to lack of copies of application. Meanwhile in counter claim, the LR's of said defendant No.1 is brought on record. Hence, without issuing the notice, if present application is decided, in my humble view, it will not cause any prejudice to his LR's. Hence, as the suit is more than 10 years old application is taken up for order on its own merit.

03. The Ld. Advocate for other defendant strongly opposed application orally on the ground of limitation.

04. Perused record and proceeding. Suit is for declaration and perpetual injunction. Death of defendant No.1 and names of his LR's mentioned in the application are not in dispute. After death of defendant No.1 right to sue survives. Therefore, his LR's are necessary parties to the suit and needs to be brought on record

his LR's. Hence, the application deserves to be allowed. Accordingly, following order is passed.

ORDER

1. Application stands allowed.
2. Plaintiff is permitted to bring on record the LR's of deceased defendant No.1 and do comply as per the provisions of Order 6 Rule 18 of Civil Procedure Code, 1908.

(Dictated & Pronounced in open Court.)

Date : 16.12.2025

(Smt. P.S.Jadhav)
2nd Jt. Civil Judge Sr. Dn.,
Bhoom.

C E R T I F I C A T E

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

Name of Stenographer	...	N. V. Koli Stenographer Grade-III
Court	...	2 nd Jt. Civil Court Sr. Dn., Bhoom.
Date	...	16.12.2025
Order signed by Presiding Officer on	...	16.12.2025
Order uploaded on	...	16.12.2025