

New R.CS No. 820/2025
Old R.CS No. 80/2014
Ramdas vs Rama & ors.
CNR No. MHOS12-000963-2025.

MHOS120009632025



ORDER BELOW EXH.114
(Passed on 07th July, 2026)

Counter claim plaintiff have filed present application for bringing on record legal heirs of deceased defendant Ramdas Baba Barkade and amend the plaint in that regard.

2. Plaintiff by filing say opposed the application on the ground that, reason are not satisfactory and prayed for its rejection. Alternatively prayed for heavy cost.

3. Perused record and proceeding. Heard both sides.

4. Present suit and counter claim were filed for declaration of ownership and perpetual injunction in respect of suit property. The plaintiff of original suit and defendant of counter claim at Exh.31 reported dead and his death certificate is filed on record alongwith list Exh.117/1. Application is supported by affidavit. His death and legal heirs name are not in dispute. If the present application allowed it would not change the nature of counter claim. After the death of defendant right to sue and being sued survives. Therefore, Considering the nature of proceeding and for interest of justice present application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

1. Application stands allowed.
2. Counter claim plaintiffs are permitted to amend the counter claim and bringing on record legal heirs of deceased defendant Ramdas Baba Barkade and do comply as per the provision of Order 6 Rule 18 of CPC.

(Dictated and pronounced in open Court.)

Dated : 07/07/2026

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

CERTIFICATE

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

Name of Stenographer	---	Shri. D. B. Nikam, Stenographer Gr-II
Court	---	2 nd Jt. Civil Judge Sr. Dn.,Bhoom
Date	---	07/07/2026
Order signed by the Presiding officer on	--	07/07/2026
Order uploaded on	—	07/07/2026