

"महोणे"

वाढीने दिलेला अर्ज खोला व खोऱ्यात
पणाला असून तो नामंजूर करणे योग्य
व न्याय आहे. वाढीचा अर्ज मुदतीत
नसल्यामुळे तो नामंजूर करणे योग्य व
न्याय आहे. जर मे. न्यायालय सध्या अर्ज
मंजूर करणार असेल तर जास्तीत जास्त
कौस्तुब अर्ज मंजूर करवावी कृपा करी.

दि-२२-६-२५.

प्रवादी तर्फे (वाद)


Adv.

RCS 1441/2025

Order Ex. 41

Read application & say. Heard both side.
Abatement set aside application filed by
LRs of deceased plaintiff strongly objected
by def. No. 7, 8 on ground of limitation
& prayed to reject it alternatively prayed
for heavy cost, if allowed.

Perused record. Death of plaintiff
not in dispute. Suit is for perpetual injunction
Right to sue survives. Considering nature
of suit, if set aside application is made
abatement order stands set aside subject
to cost Rs. 200/- payable to
def. No. 7, 8.)


22.6.25
2025-05-25 B. M.

'મુળો'

વાદીને દિલોભા અને સોલા અમુત તો
નામંજૂર કરો યોગ્ય વ જ્ઞાપ્ય આદે.
વાદીના અને મુદતીત નમુન તો નામંજૂર
કરો યોગ્ય વ જ્ઞાપ્ય આદે. જરમે જ્ઞાપ્ય અમ
મદર અને મંજૂર કરનાર અસેલ તર જાસ્તોત
જાત કાંસ્તર અને મંજૂર કરવાત વાવ.
દિ. ૨૨.૬.૨૫,

પ્રવાહીન, ૭૧૮

તફ

Adv. R. S. N. H. / 25

Order ૪૩

Read application & say. Heard both
side. Perused record & proceedings.

LR's of deceased plaintiff have filed
this application to brought them on record
& permit to amend the plaint in that regard.

Application strongly objected by def. No.
78 as reasons are not satisfactory & it is not in
limitation. Hence prayed to reject it. Alter-
natively prayed for heavy cost, the court came
to conclusion to allow it.

Perused record. Suit is for perpe-
tual injunction. Death of original plaintiff
is not in dispute. After his death, rights
survives. If application is allowed
it would not change nature of suit. Hence
application deserves to be allowed. Accordingly
I proceed to pass following order.

- 1) Application stands allowed as prayed for
- 2) LR's of deceased plaintiff are permitted
to be brought on record & amend plaint
in that regard & comply O-6-Rule 18, CPC.