

ORDER BELOW EXH NO. 52

1. Present application is filed by plaintiff no 1 for amendment the suit.
2. Heard both parties advocate.
3. It is pleaded by the plaintiff no 1 in his application that plaintiff no 2 is died on 2/9/2014 at. Ghatnandur Tq. Bhoom. It is necessary to took took the legal heirs on the record. Hence prayed for the the amendment as per the para no 2 of this application.
4. Defendants took the strong objection on this application and contended that the false application is filed by the plaintiff. The application is not within limitation therefore this application is not tenable as per the law. Hence prayed for the rejection the application.
5. The suit is filed by the plaintiff for declaration and injunction. As per the pleading of this application plaintiff no 2 died on 2/9/2014 at Ghatnandur. The legal heirs of plaintiff no 2 not took on the record. In the interest of justice it is necessary to took the legal heirs on the record and suit be heard on the both parties and finally decided after giving the opportunity of the both the parties. The interest of heirs of the plaintiff no 2 are involved in the suit. The prayed amendment is not change the nature

of the suit. Hence interest of justice I pass the following order.

ORDER

1. Application is allowed subject to cost of Rs. 200.
2. Plaintiff is directed to carry out the amendment within the limitation and supply the copy of plaint to present defendants.

Date- 10/1/2017

(H.S.Satpute)
3rd Jt Civil Judge Junior Division Bhoom