



Reg.Dar. No. 7/2021
Gahininath vs. Gandharibai+8
CNR NO. MHOS150012702021

Common Order below Exh. 19 & 24

1] These are applications for setting aside abatement and bringing legal heirs of J.Dr. No. 5 & 7 on record.

2] It is stated by the decree holder that J.D. no. 5 died on 27-10-2015 and J.D. no. 7 died on 09-03-2021. It is also stated that as the decree holder could not bring legal heirs of above mention deceased J.D. on record within stipulated period these applications are preferred.

3] The above applications are supported by affidavit and there is no limitation prescribed for bringing legal heirs on record in execution proceeding as per order 22 rule 12 of Code of Civil Procedure. Similarly, no prejudice will be caused to the J.D. if the application is allowed. Rather multiplicity of the proceedings will be avoided and dispute between the parties will be decided on merit. Hence, I hold that both the applications deserves to be allowed. In the result, I pass the following order.

Order

1. Applications at Exh. 19 & 24 are allowed.
2. Decree hold is directed to bring legal heirs of J.D. No. 5 & 7 on record.
3. Amendment be carried out accordingly on or before next date.

Sd/-
(P.S.Thakare)
Jt. Civil Judge J.D.
Paranda

Date : 03/10/2022

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 the Stenographer	Shri. V.N.Phurade
Name of Court	Shri. P. S. Thakare, Jt. C.J.J.D. and J.M.F.C., Paranda
Date of Dictation	03/10/2022
Judgment signed by the P.O. on	03/10/2022
Judgment/Order uploaded on	03/10/2022