

ORDER BELOW EXH. 182 IN RCS NO.105/2010

The present application is filed by the plaintiffs to bring legal representatives of the defendant No. 5 on record.

2. According to the plaintiffs, defendant no. 5 died on 7/03/2018. Defendant No. 5 was necessary party to the suit and after his death his legal representatives are required to take on record to just decision of the case. To bring legal representatives this application is filed.

3. Defendants opposed the present application filing say that application is not filed in time and no death certificate extract is filed.

4. I have perused death extract of Manohar Kashinath Kokane below Exh 186. As per death extract he died at Nandadevi Post-Ravangaon, Tal. Daund, Dist. Pune on 7/03/2018. This application filed on 24/04/2018, which is within limitation. After his death right to sue is survived against legal representatives as it is regarding rights in the suit property. Hence, to proceed with the matter on merits this application is deserves to be allowed. Hence, I proceed to pass following order-

ORDER

1. The application below Exh 182 is hereby allowed.
2. Additional Legal representatives of the defendant no 5 be taken on record as provided in this application.
3. Plaintiffs to carry out the amendment within 14 days from the date of this order.
4. Plaintiffs shall file copy of amended plaint on record within 14 days from this order.

Date :27/06/2018

(Shri. P. G. Lambe)
2nd Jt. Civil Judge Jr. Division, Daund