

MHPU180006612010



RCS No. 105/2010

Chingabai & ors. V/s. Sadashiv
& ors.

ORDER BELOW EXH. 243.

(Passed on 17/09/2021)

Heard Learned Adv. for plaintiff.

2. The defendant No. 11 is reported to have died on 01/05/2021. The defendant No. 13 is reported to have died on 25/06/2021. The death certificates have been filed on record.
3. The deceased defendant No. 11 survived by three legal heirs. The deceased defendant No. 13 survived by four legal heirs. The right to sue, therefore, survives.
4. The suit is for partition and perpetual injunction. The suit property is represented by proposed legal representative.
5. The application to bring legal representative of the deceased defendant No. 11 and 13 on record of the suit is made within limitation period of 90 days as prescribed by Article No. 120 of Limitation Act, 1963 from the date of death of the deceased defendant Nos. 11 and 13. In view of the above facts and circumstances, I proceed to pass following order:-

ORDER

- 1] The application is allowed.
- 2] Applicant is allowed to bring the legal representative of the deceased defendant No. 11 and 13 on record of the suit.
- 3] Applicant has to carry out necessary amendment in the plaint within 14 days from the date of this order.

Daund.
Date : 17/09/2021.

(N. B. Jadhav)
Civil Judge Junior Division,
Daund [Court No.1].

C E R T I F I C A T E

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

Name of the Court : Shri. N. B. Jadhav, Civil Judge
Junior Division, Daund [Court
No.1].

Name of the Steno : Smt. Bhunne V. S., Steno Grade-3.

Judgment date : 17/09/2021.

Judgment signed by P.O. on : 17/09/2021.

Judgment uploaded on : 17/09/2021.