

RCS No. 173/2016
Vishal V/s. Smita etc.

ORDER BELOW EXH. 197.
(Passed on 04/11/2019)

Heard Learned Adv. for plaintiff.

2. The defendant No. 4 is reported to have died on 06.10.2019. On behalf of defendant No. 4 pursis (Exh. 193) has been filed and information of his death has been placed on record.

3. The deceased defendant No. 4 survived by four legal heirs. The right to sue, therefore, survives.

4. The suit is for specific performance of contract and perpetual injunction. The suit property is represented by proposed legal representatives.

5. The application to bring legal representatives of the deceased defendant No. 4 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 No. 4. 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 representatives of the deceased defendant No. 4 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 : 04/11/2019.

(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 : Miss. F. J. Bijapure, Steno Grade-3.
Judgment date : 04/11/2019.
Judgment signed by P.O. on : 04/11/2019.
Judgment uploaded on : 05/11/2019.