

MHPU180017612013



R.C.S. No. 101/2013

Vasantrao

Vs.

Namdeo & Ors.

ORDER BELOW EXH.63.

(Passed On 06/11/2025)

The present application has been filed by the legal heirs of the sole plaintiff under Order XXII, Rule 2 of the Code of Civil Procedure, seeking to bring the legal heirs of the deceased plaintiff on record. The defendants have strongly opposed this application and submitted that costs be imposed upon the plaintiff.

2. Both sides are absent despite repeated calls. The present application has been pending since 2016. Therefore, the application is being decided on its merits. It is not in dispute that the sole plaintiff, Vasantrao Dorge, passed away on 17/08/2015, and that one of his legal heirs, Shri. Sunilkumar Dorge, had predeceased him on 01/07/2014. During the pendency of this proceeding, the defendant has not raised any objection to the proposed legal heirs being recognized as the lawful heirs of the deceased Vasantrao Dorge. Considering the submissions made in the application and the fact that the right to sue survives, it is proper that the suit be allowed to continue in the name of the legal heirs of the deceased plaintiff. In my opinion, the present application deserves to be allowed, and permission is accordingly granted to the legal heirs of the deceased sole plaintiff to bring themselves on record as such. Thus, the application is allowed.

ORDER

- 1) The application below Exhibit 63 is hereby allowed.
- 2) Compliance of the cost orders passed below Exhibits 61 and 62 shall be a condition precedent for bringing the legal heirs on record.
- 3) Upon compliance with the said cost orders, permission is granted to the legal heirs to appear in the suit and to be brought on record as the legal representatives of the deceased plaintiff. The legal heirs shall carry out the necessary amendment in the plaint and submit the amended copy at the earliest.
- 4) Both parties are directed to take note of this order.

Daund.
Dt. 06/11/2025.

(A. S. Shaikh)
4th Jt. Civil Judge (Jr.Dn.),
Daund.

CERTIFICATE

I affirm that the contents of this P.D.F file, Order are same, word to word, as per the original order.

Name of the Steno	:- Deepak A. Merukar, Grade-3
Court / Panel	:- A. S. Shaikh 4 th Jt. C.J.J.D. & Judicial Magistrate First Class (Court No. 4) Daund.
Order / Judgment date	:- 06/11/2025.
Order / Judgment singed by	:- 06/11/2025.
the Presiding Officer on	
Order/ Judgment uploaded on	:- 06/11/2025.