

ORDER BELOW EXH.58
IN CIVIL APPEAL NO.88 OF 2017

1. This is application on behalf of appellant No.1 and 2 to bring the legal heirs of respondent No.20 on record.
2. The core of application is that, respondent No.20 died on 30/09/2019. The respondent No.20 had two legal heirs namely Shri. Sagar Kishor Silam, age 40 yrs. and Sau. Anjali Alpesh Dalal, age 35 yrs. After demise of respondent No.20 her legal representatives must be taken on record to decide the appeal on merit. Therefore, appellant No.1 and 2 prayed to allow the application.
3. The respondent has prayed to pass necessary order.
4. Heard the learned advocate of appellant as well as respondent. Perused record.
5. Where one of two or more defendants dies and the right to sue survives, the Court on an application made in that behalf shall cause the legal representatives of deceased defendant be made party and shall proceed with the suit. The appellant has rightly made the legal representatives of deceased as party. Therefore, it is just and proper to bring them on record, as they are legal representatives of respondent No.20. Hence application deserves to allow. Consequently, I proceed to

pass following order.

ORDER

- 1) The application (Exh.58) is allowed.

Alibag.

Date: 13-11-2019

**(Sudhirkumar M.Bukke)
District Judge-4 & Addl.Sessions Judge,
Raigad-Alibag.**