

ORDER BELOW EXH. 97

01. This is an application to bring on record the legal representative of the deceased respondent No.3 Ramdas Narayan Patil.

02. It is contended by the appellant that the respondent No.3 Ramdas Narayan Patil died on 17/06/2023 leaving behind him four sons and a daughter being his legal representatives. After the death of the respondent No.3, the right to sue survives against his legal representatives. Hence, it is prayed that permission be granted to brought on record the legal representatives of deceased respondent No.3.

03. The the legal representatives of respondent No.3 are served with notice but they remained absent and failed to file their say.

04. Perused the application and the documents. The death certificate of respondent No.3 Ramdas Narayan Patil shows that he died on 17/06/2023. The appellant stated on oath (Exh. 98) that the respondent Nos.3A to 3E are the legal representatives of the deceased respondent No.3 Ramdas Narayan Patil. The right in immovable property is involved in the present appeal and after the death of respondent No.3

Ramdas Narayan Patil, right to sue survives against his legal representatives. Hence, it is necessary to bring on record his legal representatives and I pass following order -

ORDER

1. The application at Exh. 97 is allowed.
2. The appellant is permitted to bring on record the legal representatives i.e. respondent Nos. 3A to 3E of respondent No.3 Ramdas Narayan Patil carrying necessary amendment in appeal memo on or before next date.

Alibag,
Date :-27/11/2023.

(N.K. Maner)
District Judge-3,
Raigad-Alibag.