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ORDER BELOW EXH. 49

Plaintiff no. 5 is reported to have died on 30.01.2016. The death certificate is on record. The affidavit in support of application is filed. The suit is for declaration and injunction.

2. Though sufficient opportunity given, defendant fail to file say. Hence no say Order was passed against them.

3. Deceased plaintiff no. 5 is survived by husband, Two sons and one daughter. They are legal heirs of the deceased plaintiff no. 5. The right to sue therefore survives.

4. The application is filed on 19-01-2019, which is beyond 90 days. Therefore, in the interest of justice and to decide the matter finally, I pass the following order.

ORDER

1. The application is allowed.
2. The plaintiff is allowed to bring the legal heir of deceased plaintiff no. 5 on record.

Date: 15.06.2019

Place: Khalapur

(Vishal S. Dhondage)
Jt.Civil Judge, J.D., Khalapur