



ORDER BELOW EXH.71

1) The plaintiff has filed application below Exh.71 for bringing legal representatives of deceased plaintiff No.1 But, there is delay to bring the legal representative on record plaintiff has filed application after expiry of limitation period and therefore moved an application for condonation of delay for bringing legal representatives of deceased plaintiff No.1.

2) The defendants filed their say on those applications and objected for the same .

3) The plaintiff has also filed affidavit in support of his contention at Exh.72 In short, the plaintiff has mentioned sufficient cause for causing delay to move an application below Exh.75. Further as per Order XXII Rule 3 on the death of the plaintiff the right to sue survives the court on an application made in that behalf, shall cause the legal representative of the deceased plaintiff No.01 to bring the legal representative mentioned in application at no.1 to 6 who are the husband and children of the deceased plaintiff no.1 made parties and shall proceed with the suit. In view of order below Exh.74 and 76 the

application is allowed. Therefore, I pass following order.

: O R D E R :

- 1) The application hereby allowed.
- 2) The plaintiff shall be permitted to bring legal representatives of deceased plaintiff No.1 on the record on or before next date.
- 4) The plaintiffs shall carry out proposed amendment for bringing legal representatives of deceased plaintiff No.1 on record on or before next date.
- 5) The plaintiffs shall submit copy of amended plaint on or before next date without any failure.

Date:- 06/01/2023

(Megha C. Hasge)
Jt. Civil Judge (J.D), Roha