

MHRG190007152023



**Order below Exh. 22 in L. A. R. No. 87/2020**

Through this application, proposed applicants seeking permission for taking legal heirs on record of deceased applicant Kadir Adam Devalekar, who died on 24/09/2024.

02. Perused application and say filed by respondent No. 1 to 3.

03. Application was opposed by respondents contending that, application is not within limitation. No reason for delay is mentioned in the application. Thus, prayed to reject the application.

04. Heard, learned advocate Mr. B. T. Navale for applicants, Learned A. P. P. Yogesh Tendulkar for respondent No. 1 and 2 and learned advocate Miss. Varsha Patil for respondent No. 3.

05. Given thoughtful consideration to rival submission. Application reveals that, applicants are praying to substitute them as legal heirs of deceased applicant Kadir Adam Devalekar, who reported died on 24/09/2024. Present application was filed on 17/10/2024 within 90 days from the date of death of deceased applicant as required under Article 120 of Limitation Act. Meaning thereby application is within limitation. Consequently, objection raised by respondents that,

application is time barred is devoid of merits and same is rejected.

06. Considering relief claimed, right to sue survives to the legal heirs of deceased applicant Kadir Aadam Devalekar. Thus, I am inclined to allow the application. Resultantly, following order.

**ORDER**

1. Application is allowed.
2. Applicants permitted to bring legal heirs of deceased applicant Kadir Aadam Devalekar, on record and carry out the amendment accordingly.
3. No order as to costs.

Mahad  
Date : 02/05/2025

(P. M. Unhale)  
Civil Judge S. D. Mahad