

Order below Exh.23 in L.A.R. No.50/2006

Through this application, applicants being legal heirs of deceased applicant seeking permission to be replaced in the name of deceased applicant on record.

02. Perused the application. Say filed by respondent No. 1 & 2. Respondent No. 3 despite opportunity failed to file say to application. Heard respective learned advocates for applicants and respondent No. 1 & 2.

03. By order Exh. 31 delay caused for bringing legal heirs of deceased applicant on record is already condoned. Application is supported by affidavit. Deceased applicant is survived by legal heirs named in the application. Considering the nature of relief claimed under the reference, right to sue survive to legal heirs of deceased applicant. Thus, I am inclined to allow the application. Resultantly, following order.

ORDER

1. Application is allowed.
2. Applicants are permitted to be replaced in the name of deceased applicant Bhagaram Ganpat Malusare on record.
3. No order as to costs.

Place: Mahad
Date : 18/01/2024

Sd/-
(P. M. Unhale)
Civil Judge, S. D. Mahad