

CNR No. MHRT130004102021

Regular Civil Appeal No. 17/2021

Shri. Jayant Laxman Nimkar

Appellants.

Vs.

Shri. Rohidas Shankar Nimkar

Respondents.

Order below Exh. 99

1. This is an application filed by appellant No. 5 for bringing the Legal heirs of deceased appellant No. 1 on record.
2. Respondent resisted the application by filing say on it and prayed for its rejection.
3. Perused the application and say. Heard Ld. Advocate for both the sides at length. Perused the record. During the pendency of this appeal, the appellant No. 1 Jayant Laxman Nimkar died on 23.11.2022. Proposed legal heirs of deceased appellant No. 1 are children of deceased appellant No. 1. They are necessary and proper party to this appeal as the right to sue survives. So, it is necessary to bring them on record for complete adjudication of the appeal and to avoid multiplicity of proceeding. Therefore, this application deserves to be allowed. Resultantly the following order.

ORDER

1. Application Exh. 99 is allowed.
2. Appellant No. 5 is permitted to bring the proposed legal heirs of deceased appellant No. 1 on record as appellant Nos. 1A to 1D and to carry out consequential amendment in the appeal memo and supply its amended copies on record within 14 days from the date of this order.

Date : 08.12.2022

(N. S. Momin)
District Judge- 1, Chiplun