

MHSI06-000122-2002

R.C.S. 112/2002
Ankush V/s. Balkrishna

ORDER PASSED BELOW EXH.72
(Passed on 29.11.2024)

Present application has been filed by the plaintiff for bringing Legal representative of deceased plaintiff no.1-B on record.

2. The plaintiff contented that, the plaintiff no.1-B namely Bhagwan Ankush Sawant died on 08/09/2015 leaving behind his legal representatives. This suit was decided on 21/07/2015. The plaintiff had preferred appeal against the Judgment dated 21/07/2015 before Hon'ble District Court, Sindhudurg. The said appeal was decided on 2/05/2024 and Hon'ble District Court has remanded the present suit for fresh trial. He has also filed application for condonation of delay and setting aside abatement. By this application he prayed for bringing legal representatives of deceased on record.

3. The defendant has filed his say to this application and submitted that, heavy cost may be imposed upon the plaintiff.

4. Perused record and heard both sides.

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5. The suit is filed for declaration and perpetual injunction. During pendency of the appeal plaintiff no.1-B died. Right to sue survived. Names and address of legal representatives of deceased are filed on record. Therefore, to meet the ends of justice I proceed to pass the following order:-

ORDER

1. Application is hereby allowed.
2. After compliance of order passed below Exh. 70 and 71 the plaintiff is permitted to brought legal representatives of deceased plaintiff no.1-B on record and amend the suit accordingly.

Sawantwadi
Date:29/11/2024

(J.M. Mistry)
Civil Judge (Jr.Dn.),
Sawantwadi.