



CNR No. MHSI070000032007
Order passed below Exh. No.217
in R.C.S. No. 01/2007

Perused record. Heard both sides.

2. Plaintiff no.2 is reported to have died on 16/04/2022. Hence the plaintiff has made this application to bring the legal representatives of deceased plaintiff no.2 on record and amend the plaint accordingly.

3. The defendants have objected the application by filing say at Exh.219. It is contended that application is false and frivolous. It is contended that the reasons advanced therein are not satisfactory. Proposed Defendant no.2B and 2C are minor. The plaintiff has not filed application for appointment of guardian alongwith the present application. Therefore, prayed to reject the application.

4. The present suit is in respect of immovable property. Plaintiff no.2 is survived by wife, son and daughter. They are the legal representatives of deceased plaintiff no.2. The same has not been disputed. The application is supported by an affidavit. The right to sue survives against the legal representatives of deceased plaintiff no.2. The abatement order is already set aside by an order passed below Exh.216. The objection raised by the defendants that the plaintiff has not made application for appointment of guardian. The said defeat is a curable

defect. Therefore application deserves to be allowed. Hence following order,

ORDER	
1.	The application Exh. 217 is allowed.
2.	The legal representatives of deceased plaintiff no.2 be brought on record of the suit on or before the next date.
3.	The plaintiff should file an amended copy on record, on or before the next date.
4.	No order as to cost.
(Pronounced and dictated in open Court.)	

Place : Malvan
Date : 11/03/2026

M.K.Fakih
Civil Judge (J.D.) Malvan.