

ORDER BELOW EXHIBIT 128 IN R.C.S. NO. 18/2012

The suit has filed for partition and separate possession of the suit properties. The present application filed by the legal heirs of the plaintiff to bring them on record of the suit. The contested defendants has failed to file reply below present application. Therefore, no say order has been passed against contested defendants.

2. Heard, Ld. Advocate for legal heirs of the plaintiff. It is submitted that Smt. Darshana Naik, Shruti Pednekar, Geeta Hanumant Khot, Aparna Prabhakar Morajkar are legal heirs of the deceased plaintiff. The copy of the original death certificate is filed on record. It shows that the plaintiff has died. The suit is for partition and separate possession of the suit properties. When the plaintiff died the cause of action survives. It is necessary to bring legal heirs of deceased plaintiff on record of the suit. In view of the above facts and circumstances following order is passed.

ORDER

1. The application at exh. 128 is allowed.
2. Legal heirs of deceased plaintiff be brought on record of the suit.
3. The counsel for the legal heirs of the plaintiff be carried out amendment in the plaint and to file amended plaint within 14 days from the date of this order.

Sd/-

Date : 15/06/2022
Place : Malvan.

Amardeep D. Tidke
Civil Judge Junior Division Malvan.