



**CNR No. MHSI070000492013
Order passed below Exh. No. 196
in R.C.S. No. 14/2013**

This is an application preferred by the legal heir of deceased defendant no. 16 under Order 22 Rule 4 along with Order 6 Rule 17 of the Code of Civil Procedure.

2. The plaintiff has contended that defendant no. 16 Suresh Shridhar Vengurlekar died on 20/03/2024 living behind proposed plaintiff no. 16-A to 16-C. Therefore, prayed to allow the application and bring them as a legal heirs of the deceased defendant no.16. The defendants have resisted the application by filing say overleaf of the application. It is contended that application is false and frivolous. Therefore, prayed to reject the application.

3. The application is supported with the affidavit of plaintiff Ganesh Nareshwar Vengurlekar. From the contents of the application it appears that defendant no.16 died on 20/03/2024 living behind proposed legal heirs defendant no. 16-A to 16-C. The right of sue survives against proposed defendant no. 16-A to 16-C. Moreover the present application is preferred within the prescribed period of limitation. Thus, in view of the provisions of Order 22 Rule 4, the proposed defendant no. 16-A to 16-C needs to be bring on record. Hence, the application filed by the plaintiff is liable to be allowed. Accordingly, I pass following order.

ORDER

The application at **Exh.196** is hereby allowed and the plaintiff is permitted to carry out necessary amendment to add the proposed defendant no. 16-A to 16-C in the place of deceased defendant no.16 and provide amended copies of plaint to the parties of the suit free of costs.

(Pronounced and dictated in open Court.)

Place - Malvan
Date - 10/01/2025

Mahesh R. Devkate
Civil Judge Jr.Dn., Malvan.