



**CNR No. MHSI070000642016**  
**Order passed below Exh. No. 168**  
**(I.A.No.10/2025) in R.C.S. No. 11/2016**

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This is an application preferred by the plaintiff no. 1-B 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. 4 died on 18/02/2018 living behind proposed defendant no.4-A. Therefore, prayed to allow the application and bring her on record in place of deceased defendant no.4. The defendants have resisted the application by filing say on overleaf of the application. It is contended that necessary order may be passed subject to Costs.

3. The application is supported with the affidavit of plaintiff no.1-B namely Prakash Krishna Bidaye. From the contents of the application it appears that defendant no. 4 died on 18/02/2018 living behind proposed defendant no.4-A. The right of sue survives against proposed defendant no. 4-A. Thus, in view of the provisions of Order 22 Rule 4, the proposed defendant no. 4-A 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.168** is hereby allowed and the plaintiff is permitted to carry out necessary amendment to add the proposed defendant no. 4-A in the place of deceased defendant no. 4 and provide amended copies of plaint to the parties of the suit.

(Pronounced and dictated in open Court.)

Place - Malvan  
Date - 04/01/2025

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