

Order below Exh. 87 in R.C.S.No. 73/13

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1. Heard both the parties. Perused the record. It appears that defendant No. 3 reported to be dead on 26/1/2016. Though her death certificate is not on record, her death has not been denied by the defendants. It has been stated that the proposed legal heirs of deceased defendant No. 3 are already on record. Their names have been already inserted in plaint as defendant No. 1, 2 & 4. It is not the case of none of the parties that except defendant No. 1, 2 & 4 there are other proposed legal heirs of deceased defendant No. 3. Though there is some delay in filing present application, it can be compensated in terms of money i.e. cost. Considering above all these aspects I proceed to pass the following order.

ORDER

1. The application is allowed subject to cost of Rs. 200/-.
2. Cost be credited to the Government.
3. Plaintiff to carry out necessary amendment and to file an amended copy of plaint on record, on or before next date.
4. Issue notice to the proposed L.R's of deceased defendant No. 3 as to why they should not be made party in present suit.

R.M.Choutre)
Nyayadhikari, Gramnyalaya

Vaibhavwadi

Date :- /11/2016