

R.C.S.No. 33/2022
Ashok Vs.Dilip

Order below Exh. 46

Present application is filed by plaintiff for deleting name of defendant No. 6.

2. The application is supported by an affidavit stating that defendant No. 6 is died and defendants No. 1, 2,4,5,7 are legal heirs of deceased defendant No. 6 which are already on record. Therefore, he wants to delete the name of defendant No. 6 and amend the plaint. Defendants have filed say and strongly objected the application.

3. It is pertinent to note that plaintiff has not filed death certificate of deceased defendant no. 6. It is seen that, defendants have not objected the death of defendant No. 6 and legal heirs of deceased defendant No. 6. In these circumstance the name of the defendant No. 6 be deleted and amend the plaint in that respect. Hence I proceed to pass the following order.

ORDER

1. The application is allowed.
2. Plaintiff is directed to delete the name of defendant No.6 and amend the plaint as early as possible.

Date : 10/01/2024.

Sd/-
(Smt.N.B.Ghatage)
Civil Judge, J.D., Deogad.