

R.C.A.No.116/2015
CNRNO-MHSN040010192015
(Balaso Pukharaj Porwal V/s. Smt. Gita Sunil Shete, etc.)

ORDER BELOW EXH.21

This is an application filed by appellant for bringing legal representatives of deceased respondent No.2 on record.

02. It is the contention of appellant that, respondent No.2 Mahesh Vasantrao Mali expired on dated 03/01/2025 during pendency of the appeal. The application is therefore filed for bringing his legal representative on record. The application is well within limitation. Hence, appellant may be permitted to bring the legal representatives of deceased respondent No.2 on record by making necessary amendment in the appeal memo.

03. The respondent No.1 has filed say stating that necessary order may be passed on this application.

04. Perused application, affidavit and say of other side.

05. Perused the death extract [list Exh.20] filed by the appellant. It reveals that respondent No.2 was expired on 03/01/2025. The appellant has filed this application to bring his legal representatives on record within 90 days from the date of death of respondent No.2. After the death of respondent No.2 the right to sue survives to his legal representative. The application is well within limitation. Hence, considering all these facts, I hold that the application for bringing legal representatives of deceased respondent No.2 on record is necessary to be allowed. In the result following order is passed.

ORDER

1. The application is allowed.
2. The appellant is directed to bring legal representatives of deceased respondent No.2 on record within 14 days from the date of order and carry out necessary amendment in the appeal memo.

(A. H. Kashikar)

Date :- 10/02/2025

Adhoc District Judge-1, Islampur

Certificate

I affirm that, the contents of this P.D.F file order are same, word to word, as per the original order.

Name of Stenographer : J. R. More [Grade-1]

Court : Adhoc-District Judge-1, Islampur

Date : 10/02/2025

Order signed by the

Presiding Officer : 10/02/2025

Order uploaded on : 11/02/2025