Order below Exh.116 in RCS No. 118/2011

CNR-MHSN-05-000530-2011
(Ramchandra Pawar V/s Parvati Pawar)

Perused the application filed by the plaintiff seeking liberty to bring on record the legal representatives of the defendant no. 7 i.e. Baban Nivrutti Khot.

2. Date of death of defendant no. 7 is 06/11/2019 and the application is filed on today i.e. within 90 days from the date of the death of the defendant no. 7.

3. The defendants objected the application by filing say below it. They submit that this application just to prolong the matter. However, they have neither denied the factum of death of defendant no. 7 nor the fact that the alleged legal representatives are the only legal representatives of defendant no. 7.

4. The application is supported by an affidavit stating that there are five legal heirs of the deceased defendant no. 7. They are his wife Malan Baban Khot, his sons Anandrao Baban Khot and Jaysingh Baban Khot and his daughters Suman Yuvraj Patil and Sunita Dhanaji Patil.

5. Heard the learned advocate for the plaintiff. The suit is for partition and in order to unable the court to effectively and completely adjudicate upon and settle all the questions involved in the suit, it is necessary to allow the plaintiff to bring on record the legal representatives of defendant no. 7

5. There are no other heirs except those name in the

application. Further, the application is preferred well within limitation. It is, therefore, necessary in the interest of justice to allow this application. Hence, I pass the following order,

ORDER

1. The application is allowed.

2. The plaintiff are allowed to bring the legal heirs of the deceased defendant no. 7 on record of the suit within 14 days from the date of order.

Shailja Omprakash Pandey

Digitally signed by Shailja Omprakash Pandey
Date: 2020.01.10 13:40:23 +0530

Islampur
Date: 10/01/2020

(Shailja O. Pandey)
Jt. C.J.J.D. and J. M. F.C, Islampur

CERTIFICATE

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

Name of the Stenographer	:	Mrs. K. A. Chougule (Stenographer Grade-III)
Court Name	:	Jt. Civil Judge Jr. Division & Judicial Magistrate First Class, Islampur.
Date	:	10/01/2020
Signed by P.O. on	:	10/01/2020
Uploaded on	:	10/01/2020