

MHSN050005302011



ORDER BELOW EXH.161 IN R.C.S.NO. 118/2011

(Ramchandra Pawar (Asulekar) and others Vs. Parvati Pawar and others)

Present application is filed by plaintiffs to bring the legal heirs of deceased defendant no. 2 on record.

2. On perusal of application it reveals that, defendant no. 2 namely Nandkumar Shamrao Pawar died on 03.03.2023. Copy of death extract is filed on record at Exh.162/1 wherein name of deceased was written as Nandkumar Shamrao Pawar and his date of death was written as 03.03.2023. Present application is filed on 01.04.2023. Hence, application is made within prescribed period of 90 days. Present suit is filed for partition and perpetual injunction against defendants. Hence, right to sue survives. Considering all facts, I am of the opinion that no further inquiry is necessary & plaint requires to be amended by adding the legal representative as a party to the suit in place of the deceased defendant no.2. Hence, I pass the following order:

ORDER

1. Application is allowed.
2. The plaintiffs are permitted to amend the plaint by adding the legal representative as a party to the suit in place of the deceased defendant no. 2.
3. The plaintiffs shall carry out the amendment within 14 days from today & furnish amended copy of plaint.

Islampur.

Date : 01.04.2023

(G.S.Diwan)

Jt.C. J. J. D, Islampur.

(Court No. 1)

CERTIFICATE

I affirm that the contents of this Pdf file order is same word as per original order.

Name of Stenographer	:- Shri. M. S. Gondkar
Court Name	:- G. S. Diwan Jt. Civil Judge (J.D) and J.M.F.C., Islampur.
Date of decision	:- 01.04.2023
Order signed by PO on	:- 01.04.2023
Order uploaded on	:- 01.04.2023