

ORDER BELOW EXH. 35 IN R.C.S.NO. 239/2021
(Mahadev Dhumal Vs. Rangrao Dhumal and others)
CNR No.MHSN05-001229-2021

Present application is filed by the plaintiff to bring the legal heirs of deceased defendant no. 4 on record namely Kalabai Jagannath Kadam. On perusal of application is reveals that defendant no. 4 namely Kalabai alias Laxmi Jagannath Kadam died on 11.09.2021. Copy of death extract is filed on record at Exh. 39 wherein name of deceased was written as Laxmi Jagannath Kadam and her date of death was written as 11.09.2021. It means this application is made within prescribed period of 90 days. It is specifically mentioned in application the name of deceased defendant no. 4 as Kalabai alias Laxmi Jagannath Kadam. Present application is supported by affidavit of the applicant at Exh. 36. Present suit is filed for partition. Considering all facts, I am of the opinion that no further inquiry is necessary & plaint is requires to be amended by adding the legal representative as a party to the suit in place of the deceased defendant no. 4. Hence, I pass the following order:

ORDER

1. Application is allowed.
2. The plaintiff is permitted to amend the plaint by adding the legal representative as a party to the suit in place of the deceased defendant no. 4.
3. The plaintiff shall carry out the amendment within 14 days from today & furnish amended copy of plaint.

Islampur.
Date : 29.11.2021

Sd/xxx
(G.S.Diwan)
3rd Jt.C. J. J. D, Islampur.

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 3 rd Jt. Civil Judge (J.D) and J.M.F.C., Islampur.
Date of decision	:- 29.11.2021
Order signed by PO on	:- 29.11.2021
Order uploaded on	:- 29.11.2021