



Order below Exh.185 in R.C.S.No.79/1989
[Shamrao Bajirao Pawar & Ors. Vs Housabai Bajrang Chavan & Ors.]

This is an application filed by the plaintiffs under O. VI, R.17 of the Code of Civil Procedure to delete defendant no.5-A from the plaint.

2. The plaintiffs have submitted that, defendant no.5-A Suman Anandrao Pawar is reported to be dead on 14.02.2026. Her death extract is filed on record. Her legal heirs are already on record. Therefore, it is necessary to delete the name of defendant no.5-A from the present suit. Hence, they prayed to allow the application.

3. In spite of sufficient opportunity, defendants failed to file their say. Hence, application is to be proceeded without their say.

4. Perused the application. Heard learned advocate for plaintiffs. The present suit is filed by the plaintiffs for declaration and mandatory injunction. After perusal of record, it is seen that, defendant 5-A Suman Anandrao Pawar is reported to be dead on 14.02.2026. His death extract is filed on record. Her legal heirs are already on record. The amendment sought by the plaintiffs is technical in nature. Defendants have not objected the present application by filing their say. Furthermore, no prejudice will be caused to the defendants if the application is allowed. Hence, I

proceed to pass following order.

ORDER

- i) The application is allowed.
- ii) The plaintiffs are directed to carry out proposed amendment and to file on record a copy of the amended plaint within 14 days without fail.

Place – Miraj.
Date - 17.04.2026

(Smt. P.D.Gaikwad)
2nd Jt. Civil Judge, J.D.,Miraj

CERTIFICATE

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

Name of Stenographer	:- Mr. U.PPatil		
Name of Court	:- 2 nd Jt. Civil Judge (J.D.) and Judicial Magistrate First Class, Miraj, Dist., Sangli.		
Date of decision / typed	:-	17	04 2026
Judgment/order signed by the P.O. on	:-	17	04 2026
Judgment/order uploaded on	:-	17	04 2026