

MHSN090011442023



R.C.S.No.189/2023

Sushila etc.4 V/s Rajkumar etc.1

ORDER BELOW EXH NO.17

This is an application moved by the legal representative of deceased plaintiff No.2 for seeking liberty to bring them on record as the legal representatives of deceased plaintiff no.2.

2. The legal representatives plaintiff averred that, plaintiff no.2 died on 19.04.2024. The right to sue survives to legal representatives of plaintiff no.2. Therefore, it is necessary to bring them as legal representatives of plaintiff no.2 on record. Hence, this application.

3. Defendants failed to file say. Hence, no say order passed against defendants.

4. I have heard learned advocate for legal representatives of deceased plaintiff no.2.

5. I have perused the present application and the death certificate of plaintiff no.2 (Exh.22). Reportedly, plaintiff no.2 died on 19.04.2024. The abatement order against plaintiff no.2 was set aside. The suit filed for mandatory & perpetual injunction. The right to sue survives to legal representatives of plaintiff no.2. In order to enable the court to effectively and completely adjudicate upon and settle all the questions

involved in the suit, it is necessary to allow the application to bring on record legal representatives of deceased plaintiff no.2. Hence, I pass the following order -

ORDER

1. The application is allowed.
2. The legal representative of deceased plaintiff No.2 are allowed to bring them as legal representatives of deceased plaintiff no.2 on record on or before next date subject to cost of Rs.300/- paid by the legal representative of deceased plaintiff No.2 to defendants.

Place - Tasgaon
Date - 19.09.2025

(Smt. B. R.Avachari Durgawade)
C.J.J.D, Tasgaon