

Order below Exh.75 in RCS No.57/2019

01. Perused application filed by the plaintiffs seeking the permission to bring legal representatives of deceased defendant no.1 on record and say filed by the Defendants.

02. On perusal of present application and the copy of death certificate of defendant no.1 Adhik Govind Pawar produced along-with Exh.78/1, it is clear that the date of death of defendant no.1 is 14-12-2025 and present application is filed on 12-03-2026. It is seen that this application is filed within limitation period for bringing legal representatives of deceased defendant no.1 on record.

03. The application is supported by an affidavit of plaintiff no.1 stating that deceased defendant no.1 does not have any other heirs except those named in the application. Present suit is for partition, declaration and injunction. Hence, right to sue survives to the legal representatives of deceased defendant no.1.

04. In order to adjudicate the present case effectively, it is necessary to allow present application for bringing the legal representatives of deceased defendant no.1 on record. The present application is filed within limitation period to bring the legal representatives of deceased defendant no.1 on record. Hence, in view of provisions of Order XXII Rule 3 of the Civil Procedure Code,1908, I pass following order-

- i.** The application at Exh.75 is allowed, subject to costs of Rs.100/- to be credited to government.
- ii.** The plaintiffs are allowed to bring the legal representatives of deceased defendant no.1 on record of the present case within 14 days from the date of this order.
- iii.** The plaintiffs are directed to amend the plaint accordingly within 14 days from the date of this order and submit the amended plaint.

Place: Kadegaon

Date: 25-03-2026

(Smt.Madhavi R.Patkar)
C.J.J.D. Kadegaon