

Order below Exh.65 IN R.D. No.05/2018

1. By this amendment application decree holder prays for bringing legal heirs of opponent No.1 on record.
2. Opponent No.1 died on 20.05.2021. His legal heirs have appeared. It is nowhere disputed that the cause of action survives upon them. Hence, the application is required to be allowed. Thus, I pass the following order.

- O R D E R -

- A. The application is allowed.
- B. Proposed legal heirs of opponent No.1 be brought on record within a period of 7 days from today.
- C. Decree holder to make necessary amendment and filed the copy of amended decree on record.

Date : 09.08.2024

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur.

Order below Exh.63 IN R.D. No.05/2018

1. This application is for bringing legal heirs for opponent No.1 on record.
 2. As per the decree holder, he was unaware about the death of opponent No.1 which occurred on 20.05.2021. Hence, it got delayed on his behalf for bringing the legal heirs of opponent No.1.
 3. Proposed legal heirs of opponent No.1 appeared, upon being served with the notice. They opposed the application on the ground that opponent No.1 was the neighbor of decree holder and hence, decree holder not being aware about death of opponent No.1 is not acceptable.
 4. Decree holder does not dispute that opponent No.1 was his neighbor. In such circumstances, the reason for delay submitted by the decree holder cannot be accepted. However, cause of action survives upon legal heirs of opponent No.1 and hence, they are required to be brought on record. However, for the delay caused, the application is required to be allowed by compensatory costs of Rs.200/- to be paid by the decree holder. Hence the order.
- A. The application is allowed subject to decree holder paying costs of Rs.200/- in the court.

Date : 09.08.2024

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur.

Certificate

- (a) Name of the Stenographer : Rajiv M. Gogi
- (b) Court. : Jt. C.J.J.D., Pandharpur
- (c) order dictated on : 09.08.2024
- (d) signed on : 09.08.2024

