


MHSO070006382019 	<u>ORDER ON EXH. 30 IN R.C.S.No.510/2019</u> (Passed on 19th July 2025)
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1. This application is filed by plaintiffs to bring legal representatives of deceased defendant No. 1 namely Arjun Shamrao Bahire. The Defendants filed say on the same application and consented to grant application. Heard Advocates for both sides. Perused the record.

2. It is submitted by plaintiffs that, during the proceeding the defendant No.1 died on 03.02.2022. They could not get the information about death of defendant No.1 within time, therefore, they failed to take legal representatives of deceased defendant No.1 within time. Therefore, the suit is abated against the defendant No.1. The deceased defendant No.1 has legal representatives i.e. widow Suman Arjun Bahire and daughter namely Shweta Yogesh Kale. The plaintiffs have filed death certificate of the defendant No.1 alongwith list Exh.34/1. The death certificate shows that, Arjun Shamrao Bahire has been deceased on 03.02.2022. Thereafter his widow and daughter were summoned. However, they failed to appear till today. Plaintiffs have not specifically objected the application.

3. The application is supported with affidavit. The present suit is filed for fixation of boundaries of suit properties and perpetual injunction. Thus, right to sue survives after the death of defendant No.1. As per order passed below Ehx.28 the

delay for bringing legal representatives is condoned and abatement is set-aside. Thus, proposed representatives can be brought on record. For the reasons mentioned above following order is passed.

ORDER

1. Application at Exh.30 is allowed.
2. The plaintiffs are directed to carry out the amendment and bring legal representatives of deceased defendant No. 1 on the record on or before next date.
3. No order as to costs.

Pandharpur.
Date : 19.07.2025.

(Smt. S.S.Raul)
Jt. Civil Judge, Junior Division,
Pandharpur, Dist.- Solapur.

Certificate

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

Name of Stenographer	:-	D.S.Landage (Grade-III)
Court	:-	Jt. Civil Court,J.D., Pandharpur.
Date	:-	19.07.2025.
Judgment/Order signed by the Presiding Officer	:-	19.07.2025.
Judgment/Order uploaded on	:-	19.07.2025.