

ORDER BELOW APPLICATION (EXH.112) IN R.C.S.No.442/1978

Present application is filed by plaintiff seeking permission to amend the plaint so as to bring Legal Representatives of deceased defendant No.18 on record.

2. It is asserted defendant Nos.14 to 17, 19 & 20 have filed submitted the death certificate below list (Exh.586) of deceased defendant No.18 on 24.01.2018. Present application has been filed within the limitation period from the said date. Persons named in the application are his legal representatives. Hence, the application.

3. Defendant Nos.14 to 17, 19 & 20 have filed the say and objected the application. Ultimately, they have prayed for passing appropriate order.

4. Defendant No.18 has died on 29.04.2016. However, his death was not notified to the plaintiff prior to 24.01.2018. Present application has been filed within a period of 90 days from the said date. Thus, the application is within limitation period. It is not stated that the persons named in the application not his legal representatives. Hence, the application is allowed. Plaintiff is permitted to amend the plaint so as to bring legal representatives of deceased defendant No.18. He shall carry out the amendment within two weeks. He shall submit a copy of the amended plaint.

Date :03.03.2018

(S.K. Khan)
Jt. Civil Judge (J.D.),
Barshi,

CERTIFICATE

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

Name of Stenographer :

Court Name : S.K.Khan,
Jt.C.J.J.D.& J.M.F.C. Barshi.

Date : 03.03.2018

Judgment signed by the
presiding officer on : 03.03.2018

Judgment uploaded on : 03.03.2018