



ORDER BELOW EXH.- 29

01. This is an application filed by defendant No.1 (plaintiff in counter-claim) to bring legal representatives of defendant No.2 Chandrakant Kashinath Tupere on record.

02. Perused the application. Heard to the learned Advocate of defendant No.1.

03. The defendant No.1 contended that the plaintiff has filed suit for partition and separate possession against the defendants. Defendant No.1 has filed counter-claim for the relief of declaration in the present matter. However, during the pendency of counter-claim, defendant No.2 Chandrakant Kashinath Tupere died on 26/09/2023. Legal heirs of the deceased defendant are not on record. Therefore, she prayed for taking them on record as legal representatives of deceased defendant No.2.

04. The original plaintiff and other defendants have not filed say to this application, hence, application is proceeded without their say. The legal representatives of defendant No.2 filed say below the application and thereby given no objection to allow the present application.

05. Perused the application, it reveals that the plaintiff has filed the present suit for partition and separate possession against defendant No.1 to 3 and defendant No.1

filed counter-claim for the relief of declaration and perpetual injunction against the plaintiff and defendant No.2 and 3. Meanwhile, during the pendency of suit and counter-claim, defendant No.2 Chandrakant Kashinath Tupere is died on 26/09/2023.

06. The application to bring the legal representatives of the deceased defendant on record of the counter-claim is not filed within limitation period of 90 days as is prescribed by article 120 of the Limitation Act, from the death of the deceased defendant No.2. The delay to bring the LR's on record is condoned by passing order below Exh.28. In such circumstances, I proceed to pass following order;

ORDER

- 1) The application is allowed.
- 2) Defendant No.1 (plaintiff in counter-claim) to carry out necessary amendment in her counter-claim at Exh.18 to bring the LR's of the deceased defendant No.2 Chandrakant Kashinath Tupere on record of the counter-claim.

(Dictated and pronounced in open Court.)

Date:- 19/12/2025

(Smt. P. V. Raut)
Jt. Civil Judge (J.D.), Barshi.

CERTIFICATE

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

(a)	Name of the Stenographer	:	Shri.S.R. Barangule
(b)	Court	:	Smt. P.V. Raut, Jt.C.J.J.D.&J.M.F.C. Barshi.
(c)	Judgment /Order declared on	:	19/12/2025
(d)	Judgment /Order signed by P.O. on	:	20/12/2025
(e)	Judgment /Order uploaded on	:	20/12/2025