

ORDER PASSED BELOW EXH.136

1. This is an application for brining L.Rs of defendant No.3 on record. The advocate for defendant filed there say thereon.
2. Read application and say. Heard both sides
3. It is avered by plaintiff that during the pendency of suit, the defendant No.3 has been expried on 31/08/2018. It is further, it is necessary to brought legal hairs of defendant No.3 on record and prayed for allow the application. Plaintiff contended to pass appropriate order.
4. It is not disputed that defendant No.3 died on 31/08/2018. More ever suit is for partition and separate possession. The plaintiff has filed an affidavit alongwith applicantion as well as death certificate of defendant No.3 Premnath Laxman Ghodake at Exh.138 on record. Date of decessed is shown in death certificate 31/08/2017. It is necessary to allow the plaintiff to bring the legal heirs of deceased defendant No.3 to complete adjudication of the case. The application is within limitation. Considering reasons mentioned in application and to decide on marit, I pass following order.

ORDER

1. Application is allowed .
2. The plaintiff is permitted to bring legal heirs of deceased defendant No.3 on record and amend the plaint within prescribed time.
3. No order for costs.

Date:-15/11/2018

(S.N.Gavali)
2nd Jt. Civil Judge Junior Division,
Akkalkot.

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.

Court :- J.M.F.C.& 2nd Civil Court,J.D.,Akkalkot.

Date :- 15/11/2018

Judgment/Order signed by :- 15/11/2018
the Presiding Officer

Judgment/Order uploaded on :- 19/11/2018