

RCS No. 723/2024
Chandrakant & Ors. Vs. Saudagar & Ors.
CNR No.MHSO170019522024

Order Below Exh. 13

This is an application filed by plaintiffs for bringing legal heirs of deceased Defendant No.03 Govind.

2. Plaintiffs have contended in the application that, Defendant no. 03 Govind Ananta Jagtap died on 25/08/2024 in village Kurdu, Tal. Madha. It is necessary to add the legal heirs of deceased as the present suit is for measurement and fixation of boundaries. Hence, to bring following legal heirs of deceased defendant no. 03 on record: Vilas Govind Jagtap, Prakash Govind Jagtap, Balu Govind Jagtap, Kusum Shankar Dhane and Usha Hambirao Dhane. Accordingly, they prayed to bring on record the legal heirs of the deceased Defendant No. 03.

3. Defendant No.01 has objected the application stating that, the application is false and unlawful. The application is not within limitation. Therefore, they prayed to reject the application.

4. Heard both sides at length. Perused the application, say and affidavit. Upon perusal of copy of death certificate filed vide list at Exh.16, it transpires that, the Defendant No.03 Govind died on 25/08/2024. The Plaintiffs have stated on affidavit at Exh.14 that, Defendant No. 03 is survived by Vilas Govind Jagtap, Prakash Govind Jagtap, Balu Govind Jagtap, Kusum Shankar Dhane and Usha Hambirao Dhane. Right to defend on the aforementioned legal heirs of the deceased Defendant No.03. In such circumstances, it would be appropriate to allowed the application. Accordingly, following order is passed.

ORDER

1.	Application is allowed.
2.	It is permitted to bring Legal Heirs of the deceased Defendant No.03 on record within 14 days from the date of this order.
3.	Plaintiffs are directed to submit the copy of amended plaint within 14 days on the date of this order.
4.	Issue summons to legal heirs of defendant no. 03 upon compliance of the order.

Date - 29/01/2025

(Shubham G. Laturiya)
4th Jt. C.J.J.D., Madha
J.O. Code:-MH03297

<u>CERTIFICATE</u>	
I affirm that, the contents of this P.D.F. file Oder/Judgment is same word to word, as per the original order/judgment.	
Name of Stenographer	: M.P.Dixit Grade-3
Court Name	: 4 th Jt. C.J.J.D. & J.M.F.C., Madha.
Order/Judgment signed by the Presiding Officer on	: 29/01/2025
Order/Judgment uploaded on	: 30/01/2025