

ORDER BELOW EXH. NO. 30 IN R.C.S. No. 30/2023
(Bandu Tamboli and Ors. Vs. Kallappa Annappa Mhetre)

Plaintiffs/original defendants have filed application for bringing Legal Representatives of deceased plaintiff/original defendant on record. Called say of original plaintiff/defendant.

[2] As per the contention, plaintiff/original defendant Bandu Tamboli is died on 22.02.2025. The deceased plaintiff/original defendant Bandu Tamboli is survived by his legal heirs as mentioned in the application. Plaintiff/original defendant reported to be died during pendency of suit. As this is a suit filed for perpetual injunction, his legal representatives need to be added as a party in this suit.

[3] Original plaintiff has filed his say on application and prayed for rejecting the application.

[4] The application to bring the legal representatives of deceased plaintiff/original defendant has brought on record on 20.12.2025, original defendant Bandu Tamboli has died 22.05.2025. The application needs to be filed within limitation period of 90 days of the death of party, as prescribed by Article 120 of the Limitation Act, 1963. But already abatement has been set aside and delay has been condoned by order at Exh. Nos. 28 and 26 respectively by this Court. Therefore, this application can be allowed subject to cost as it has been filed after delay. Hence, I pass following order :

ORDER

[1] Application is hereby allowed.

[2] Plaintiffs/original defendants will be allowed to bring legal representatives of plaintiff/original defendant on record after depositing cost.

Date : 17.01.2026.

(M.S. Mali)
Jt. Civil Judge, Jr. Div., Mangalwedha

CERTIFICATE

I affirm that the contents of this P.D.F. file Order is same word to word, as per the original Order.

(a) Name of the Stenographer : P.T. Jadhav.

(b) Name of the Court : C.J..J.D., Mangalwedha, Dist. Solapur,

(c) Order decided on : 17.01.2026

(d) Order uploaded on : 17.01.2026