

ORDER BELOW EXH.38

The instant application has been filed by plaintiffs for bringing legal representatives of deceased defendant no.9 Bharat Sopan Kokare on record. Called say of defendants.

[2] As per plaintiffs, defendant no.9 Bharat Sopan Kokare is died on 02/12/2022. The deceased defendant no.9 Bharat Sopan Kokare is survived by his wife, two sons and they are legal representatives of deceased defendant no.9. As this is a suit filed for partition and separate possession, legal representatives of defendant no.9 need to be added, as a party in this suit. Defendants have filed their say and prayed for rejecting the application.

[3] The present application for bringing legal representative of deceased defendant no.9 has brought on record within limitation period of 90 days, as prescribed by Article 120 of the Limitation Act, 1963 from the date of death of deceased defendant no.9.

[4] Hence, in the backdrop of above discussion, I proceed to pass the following order :

ORDER

- 1]** Application is hereby allowed.
- 2]** Plaintiffs are allowed to bring legal representatives of deceased defendant no.9 Bharat Sopan Kokare on record of the suit within 14 days from the date of this order and further permitted to write the word 'deceased' after the name of defendant no.9. Plaintiffs are directed to carry out the necessary amendment below Exh.1.
- 3]** Plaintiffs are directed to file consolidated copy of plaint on record.

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 : A.P. Hipparagi,
- (b) Name of the Court : C.J.J.D., Mangalwedha, Dist. Solapur,
- (c) Order signed by P.O. on : 13/02/2023
- (d) Order uploaded on : 13/02/2023