

ORDER BELOW EXH. 158 IN R.C.S.NO. 357/2000

01. Perused the application and say of other side. The perusal of the application and case papers shows that defendant no. 1 Ganesh died on 09.01.2020 at Karad. This application is filed on 17.02.2020 i.e. within 90 days, therefore, no notice is required to be issued to proposed legal heirs. The cause of action survives even after death of defendant no. 3. The legal heirs are required to be brought on record for continuation of the litigation. The legal heirs are required to be arrayed as the defendants and if it do so then no prejudice would be the outcome. Hence, I am inclined to pass following order.

ORDER

1. The application is hereby allowed.
2. The proposed legal heirs be brought on record.
3. No order as to costs.
4. The necessary correction be carried out.

Karad.
Date- 05.07.2022

(V. S. Khot)
Civil Judge Senior Division,
Karad.