

CNR NO.MHST-0500 0307 2022

**IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, KARAD
ORDER BELOW EXH.32 IN SUCCESSION No.88/2022**

Smt. Anusaya Shivaram Chavhan	...Applicant.
<i>Versus</i>	
1. Shri. Shrirang Shivaram Chavhan	...Respondents.

Advocate Mr. A. S. Kale for the applicant.

Advocate Mr. S. V. Lokare for the respondents.

Coram : S. B. Todkar,
C.J.S.D. Karad.
Date : 06/03/2026

ORAL ORDER :

This is an application for bringing the legal heirs of deceased respondent No.1 on record under order XXII rule 4 of the Code of Civil Procedure, 1908.

2. Perused the application and say. Heard both the sides.
3. As per the contents of present application the applicant has filed present application against the respondents for succession certificate. During pendency of the proceeding respondent No.1 viz. Shrirang Shivaram Chavhan expired on 30/12/2025 at Koparde leaving behind him Smt. Kalavati Shrirang Chavhan, Shri. Jaywant Shrirang Chavhan, Radhika Manik Nalawade and Jaymala Vijay Salunkhe as his wife, daughters and son as his sole legal heirs. For the decision of proceeding on merit they are proper and necessary parties. Therefore it is necessary to bring them on record. Hence the application.
4. It appears from the record that, the applicant has filed original application against the respondents for heirship certificate on the grounds specifically mentioned in the application. After

service of notices respondent Nos.1 to 3 appeared before Court and filed their say at Exh.23. Court has framed issues / points for determination at Exh.25. Thereafter, applicant has filed her affidavit of examination in chief at Exh.28. When matter is pending for applicants cross examination at that time during pendency of the proceeding respondent No.1 Shrirang Shivaram Chavhan expired on 30/12/2025, to that effect respondents have The applicant at Exh.33 on oath has stated that respondent No.1 viz. Shrirang Shivaram Chavhan expired on 30/12/2025 at Koparde leaving behind him Smt. Kalavati Shrirang Chavhan, Shri. Jaywant Shrirang Chavhan, Radhika Manik Nalawade and Jaymala Vijay Salunkhe as his wife, daughters and son as his sole legal heirs. After the death of respondent No.1 right to be sued survives against the remaining respondents as well as the legal heirs of the deceased respondent. The legal heirs of deceased respondent No.1 are the proper and necessary parties. For the just decision of application on merit the presence of the legal heirs of deceased respondent No.1 is necessary and without them no effective or complete decree can be passed by the Court in their absence. Present application is filed within the period of limitation. Therefore, I found substance in the submission made in the present application. Hence, I proceed to pass the following order.

ORDER

1. Application Exh.32 is allowed.
2. Permission is granted to the applicant to insert the words 'deleted since deceased' in front of the name of respondent No.1 in the title cause of the application.
3. Permission is granted to the applicant to insert the name of Smt. Kalavati Shrirang Chavhan as respondent No.1a, Shri.

Jaywant Shrirang Chavhan as respondent No.1b, Radhika Manik Nalawade as respondent No.1c and Jaymala Vijay Salunkhe as respondent No.1d in the title cause of the application.

4. Applicant is here by directed to carry out necessary abatement on or before 14 days in the title cause of the application and supply copies of amended application on record.
5. After receiving of copies of amended on record issue suit summons to the added respondents.

Date : 06/03/2026.
Place-Karad.

[S. B. Todkar]
Civil Judge S.D. Karad.