

MHST-0500-0594-2024**IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, KARAD****ORDER BELOW EXH.14****IN****Spl. Darkhast No.27/2024**

1. Shri. Mansing Kisan Sutar & Anr.	...D.H.'s
<i>Versus</i>	
1. Ramesh Bhanudas Sutar & Ors.	...J.D.'s

Advocate Shri. A. R. Dange for the D.H.

Advocate Shri. M. V. Patil for the J.D.

Coram : S. B. Todkar,
C.J.S.D. Karad.
Date : 09/08/2024

ORAL ORDER :

This is an application filed by the Ld. Advocate for the D.H. for permission to delete the name of deceased J.D.No.4A from the title cause of the execution application.

2. Perused the application and handwritten say given by Ld. Advocate for the J.D. on application overleaf. Heard Ld. Advocates for both side.

3. It appears from the record that D.H. have filed present execution application against the J.D.'s for the execution of decree on the grounds specifically mentioned in the application. After service of notices J.D.'s appeared before the Court. Matter is pending for reply of the J.D.'s to the execution application. Thereafter, on behalf of D.H. their advocate has filed present application for permission to delete the name of deceased J.D.No.4A from the title cause of the execution application. As per contents of the present application

J.D.No.4A expired. The legal heirs of J.D.No.4A are already on record i.e. J.D.No.4B to 4E. Therefore, it is not necessary to insert their names again in the title cause of the execution application. I have gone through the record. It appears from record that alongwith document list Exh.13, the D.H. have filed original death certificate of J.D.No.4A on record. I have gone through that death certificate, from which it appears that Kalawati Maruti Sutar i.e. J.D.No.4A expired on 29/03/2024. On oath D.H. have stated that. The legal heirs of deceased J.D.No.4A are on record. Under this circumstances, if the present application is allowed no harm would be caused to the J.D.'s. Hence, I proceed to pass the following order.

ORDER

1. Application Exh.14 is allowed as follows.
2. Permission is granted to the D.H. to delete the name of J.D.No.4A from the title cause of the execution application.

Date : 09/08/2024.
Place-Karad.

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