



MHST060012012017

ORDER BELOW EXH. 65 IN R.C.S.No. 324/2017

This application is filed by legal heirs of plaintiff for amendment as deceased plaintiff Arun Bhiva Awate died on 03.02.2025.

02. The defendant strongly objected the said application on the ground that names of all legal heirs are not mentioned in the present application.

03. Perused application and say. Heard the learned counsel for the both side.

04. It appears that deceased plaintiff Arun Bhiva Awate died on 03.02.2025. Thereafter, his legal heirs moved this application within limitation period. The objection raised by defendant has no merit as he has not provided names of other legal heirs. Moreover, the issue regarding non-joinder of necessary parties is already framed. It will be decided after adjudication of the suit. For avoiding multiplicity in the proceeding, it is necessary to amend the plaint in respect of deceased plaintiff. Therefore, this application deserves to be allowed. Consequently, I proceed to pass following order:-

-: O R D E R :-

1. Application at Exh.65 is allowed.

2. The concerned is directed to carry out necessary amendment in the application on or before next date.

sd/-

(S.S. Gadve)

Civil Judge Junior Division,
Dahiwadi.

Date : 27.06.2025