

MHST160010162013



Reg.Civil Suit No.179/2013
(Balwant Vs. Sachin and others.)

Order Below Exh.97
(Passed on 27th January, 2026)

This is an application filed under Order VI Rule 17 of the Code of Civil Procedure. They submitted that defendant No.8B is now dead and his only legal heir is defendant No.8A Vikram. Under such circumstances, defendant No.8B Naresh Narsingrao Kadam and his name be mentioned in bracket, as well as the name of defendant No.8A be permitted to be mentioned in the title clause. The proposed amendment is technical in nature. It will not change the very nature of the suit and if the application is not allowed it will cause irreparable loss to them.

2. The present application has been resisted by the defendant by filing say. They submitted that there is no explanation with regard of other legal heirs of deceased defendant except the defendant No.8A. In fact, it is not clear that whether the deceased defendant is survived by others including defendant No.8A Vikram.

3. Perused the record. Heard both the sides. It is a matter of record that death certificate of deceased defendant Naresh Narsingrao Kadam has been filed on record alongwith list Exh.94. Therefore, his death is not disputed. Considering the nature and scope of the present application, it is clear that it will not change the very nature of the suit. Even, no prejudice will be caused to the other side. Hence, I find it necessary to allow the application in the interest of justice. Hence, I pass the following order.

ORDER

1. The application is hereby allowed.
2. The proposed amendment be carried out by the plaintiff till next date by filing amended copy of plaint on record.

[Dictated and pronounced in the open Court.]

Date : 27.01.2026

(R.M. Bhende)
2nd Jt. Civil Judge Jr. Dn. Wai.

CERTIFICATE

“ I certify that this Order uploaded is a true and correct copy of original signed Order”.

Order dictated on : 27.01.2026.

Order checked and signed on : 27.01.2026.

Uploaded by : Akshay D. Kumbhar
Stenographer (Grade-III)

Uploaded on : 28.01.2026.