

**Spl..C.S. No. 8/2017  
Ramchandra and Ors.  
Vs. Tanaji & Ors.**

**ORDER BELOW EXH.110.**  
(CNR No.:MHST180003942016)

Read an application. Perused the entire record. Heard the learned counsel for plaintiffs Adv. Shri. N. D. Yadav. The learned counsel for defendants Adv. Shri. V.D. Veerkar is absent when called. The plaintiff No.2 Vivake Jagtap is present before the Court, but the defendant No.1 to 6 are absent when called.

2. On perusal of record, it appears that the plaintiff No.2 filed this instant application and submitted that the defendant No.1 namely Tanaji Shankar Bad died in the year 2021. The defendant No.1 Tanaji died leaving behind him legal representatives namely Rohini Tanaji Bad, Rutaja Tanaji Bad and Sainath Tanaji Bad. Now, the learned counsel for the plaintiff filed the pursis at Exh. 115 and submitted that the name of Sainath is Sairaj and therefore, the name Sairaj be mentioned instead of Sainath.

3. According to the plaintiff, it is necessary to bring the legal representatives of the deceased defendant No.1 on record. Therefore, the plaintiff prayed to allow an application and to grant permission to bring the legal representative of the deceased defendant No.1 on record.

4. It also appears that the learned counsel for the defendant No.1 filed the pursis on 25.02.2022 at Exh.109 and submitted that the defendant No.1 died. Thereafter, on 08.04.2022, the plaintiff filed this instant application and

prayed to grant permission to bring the legal representative of the deceased defendant No.1 on record. Therefore, it appears that plaintiff filed this application within the period of limitation. Now, it is also necessary to grant an opportunity to the legal representative to contest this suit. I, found substance in the application. Accordingly, I proceed to pass the following order.

**ORDER**

- 1] The application is allowed.
- 2] Plaintiffs are permitted to bring the legal representatives of the deceased defendant No.1 on record till next date, otherwise this application shall automatically stands rejected.
- 3] The name of legal representative Sainath be mentioned as of Sairaj.
- 4] Plaintiffs are also further directed to file amended copy of plaint after its incorporation.
- 5] Both the parties are directed to take note of it.

Vaduj.  
Date: 24.08.2022

( D.D. Fulzele)  
Civil Judge Sr.Dn., Vaduj.