

MHTH170008382016



**R. C. S. No. 82/2016**  
**Tukaram Patil Vs. Lila Patil & Ors.**

**Order Below Exh. 51**

This is an application filed by plaintiff to take legal heirs of plaintiff on record. It is submitted by the applicant that the plaintiff Tukaram Khandu Patil on 31.01.2024. Therefore it is necessary to take legal heirs on record and amend the title clause of the plaint. Hence prayed for allow the application.

2. Defendants have filed say overleaf and oppose the application. It is submitted that the reason cited is not true. The plaintiff deliberately prolonging the matter, hence prayed for reject the application.

3. Heard learned advocate of the plaintiff and defendant. Perused the material on record. This is suit for partation and injunction for statutory compliance and declaration of Specific Relief Act. The applicant has filed death certificate on record of plaintiff. Right to sue survives. It is necessary to take legal heirs on record to decide the matter on merits prayed by the plaintiff. Hence in the interest of justice I pass following order:-

**ORDER**

- 01.** Application **Exh. 51** is allowed.
- 02.** The plaintiff is at liberty to take legal heirs of plaintiff on record and amend the title clause.
- 03.** Cost in main cause.

Date : 13.04.2026.  
Place: Palghar

(Sujata R. Bandal)  
Jt. Civil Judge Jr. Division,  
Palghar