



**ORDER BELOW EXH. 250 IN R.C.S. NO. 171/2015
(Chandrakant Baburao Patil and other 1 Vs. Asif Iqbal
Dhanani and other 4)**

The present application is filed by original defendant No. 1 (plaintiff No. 1 of the counter claim) under Order 22 Rule 3, Order 1 Rule 10(2) r/w Order 6 Rule 17 of The Code of Civil Procedure to bring on record legal representatives 4/1 to 4/3 of deceased original defendant No. 4 (plaintiff No. 4 in the counter claim) and to carry out amendment in the counter claim accordingly.

2] Learned advocate for original plaintiffs (defendants in the counter claim) has raised objection to allow the present application.

3] The applications (Exh. 246 and 248) filed for setting aside abatement and for condonation of delay have been already allowed. Therefore, in view of the reasons recorded while allowing the said applications, the present application for amendment to bring on record names of legal

representatives of original deceased defendant No. 4 needs to be allowed in the interest of justice. Hence, I proceed to pass following order.

ORDER

- 1) Application (Exh. 250) is allowed.
- 2) The legal representatives of original deceased defendant No. 4 (plaintiff No. 4 in the counter claim) are taken on record as defendant No. 4/1 to 4/3 (plaintiff No. 4/1 to 4/3 in the counter claim).
- 3) Defendants (plaintiffs in the counter claim) are directed to carry out amendment in the counter claim and to supply copy of the amended counter claim on record on or before next date.

Palghar
Date : 03/07/2023

(Amit P. Kokare)
Civil Judge S. D.,
Palghar