

MHTH170026082023



R. C. S. No. 103/2023
Jyotsana Thakur & Ors.
Vs.
Tukaram Hadal & Ors.

Order Below Exh. 33

This is an application filed by defendant No. 1 to take legal heirs of defendant No. 1 on record. It is submitted by the applicant that the defendant No. 1 Tukaram Lkhaya Hadal died on 25.02.2024. 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. The plaintiffs have no objection to allow the application.

3. Heard learned advocate of the plaintiffs and defendants. Perused the material on record. This is a suit for injunction. The applicant has filed death certificate on record of defendant No. 1. 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. 33** is allowed.
- 02.** The plaintiffs is at liberty to take legal heirs of defendant No. 1 on record and amend the title clause.
- 03.** Cost in main cause.

Date: 20.04.2026.
Place: Palghar

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