

R.D. NO.04/2004
Uttamrao Vrs. Sahebrao

ORDER BELOW EXH-212

This is an application filed by legal heirs of deceased Judgment Debtor no.08 Nayabrao @ Narayanrao Shankarrao Babar for bringing themselves as Legal Representatives (for short LR's) of deceased on record.

02 It is averred that the Judgment Debtor no.08 died on 17.05.2021 at Akola due to heartattack. Considering the nature of matter it is necessary to bring legal heirs of J.D. no. 08 otherwise the proposed LR's caused irreparable loss.

03 Say of the other side/parties has been called out. They filed their say overleaf of the application and opposed to it.

04 Perused the application and say thereon. Heard.

05 Moreover, the application supported by the affidavit which has been made by the LR's itself. Copy of death certificate is also filed on record. It appears that the J.D. no.8 died on 17.05.2021. The subject matter of execution is immovable property. Therefore opportunity needs to be given to them to establish right of deceased. If such opportunity is denied, it will affect of very rights of applicants. Further, to decide the matter on merit it is necessary to allow application. Therefore, in the interest of justice application is needs to be

allowed. Hence, following order is passed.

ORDER

1. Application at Exh. 212 is hereby allowed.
2. The D.H. is hereby directed to bring Legal heirs of deceased J.D. No.8 on record.
3. The D.H. to carry out necessary amendment within prescribed period.
4. Costs on applicants/proposed J.D.

Sd/-

(Sharad N. Gavali)

Jt.Civil Judge(Jr.Dn.) Risod.

Dated: 04.09.2021

.