

MHYA010011042017



R.C.A No. 63/2017

Ashok Vs. Lokseva Education Society +9

ORDER BELOW EXH. 24

Perused the application, say of the respondent Nos. 1, 2, 5 and 7. Heard both sides.

2. By filing this application on 02/02/2023 the appellant prayed the Court to grant permission to delete the names of respondent No. 4 and 9 as they are died. Today the respondent Nos. 1, 2, 5 and 7 filed their say and opposed the application.

3. The suit was filed against the education society and its office bearers. The office bearers were impleaded in their personal capacity and their legal representative can not be held responsible for the action of the education society. The respondent Nos. 4 and 9 are dead and the right to sue is survive to the appellant against the education society and its remaining office bearers. Due to deletion of the name of deceased respondent Nos. 4 and 5 no prejudice

is going to cause to remaining respondents. The appellant wants to delete the name of deceased respondent Nos. 4 and 9. Considering the facts and circumstances of the matter I am inclined to grant permission to the appellant to delete the names of deceased respondent Nos. 4 and 9. Hence, I proceed to pass following order;

ORDER

1. The application is allowed.
2. The names of deceased respondent Nos. 4 and 9 be deleted in title clause of appeal.
3. No order as to cost.

Date: 20/09/2024.

(Moreswar B. Dudhe)
Adhoc District Judge-2,
Yavatmal.