

MHYA240002112025



ORDER BELOW EXH.- 55

- 1) This is an application filed by the Power of Attorney of proposed L.R's of defendant no.7 under Order I Rule 10 for impleadment of L.R's of deceased defendant no.7 as defendant no.7A to 7D.
- 2) According to applicant, due to illness defendant no.7 has died on 12/10/2025. Therefore, it is necessary to bring his legal heirs on record. The proposed defendant no.7A to 7D are the only legal heirs of deceased defendant no.7 namely Prakash Bhokarikar as proposed defendant no.7A to 7D are widow and children of the Deceased defendant no.7.
- 3) Plaintiffs and defendant no.2 have filed their say overleaf of the application and submitted that suitable order may kindly be passed. Defendant no.3 has failed to file say to this application therefore said application proceed without say of defendant no.3 and suit proceeded exparte against defendant nos.1, 4, 5 and applicant is defendant no.6 too.
- 4) Heard Learned Counsels of the parties perused entire record.
- 5) This is the suit for declaration and perpetual and

mandatory injunction and compensation.

6) The perusal of the record further reveals that defendant no.7 was one Prakash Bhokarika and he has died on 12/10/2025 and it is supported by medical certification cause of death and Power of Attorney by proposed L.R's.

7) Considering the death of defendant no.7 and applicants being prima facie his heirs as Widow and children and survival of their right to sue and impleadment of proposed L.R's is necessary as they are necessary parties.

8) Hence, considering reasons stated above, I proceed to pass following order;

ORDER

- 1) Application Exh.- 55 is hereby allowed.
- 2) Proposed L.R's no.7A to 7D are allowed to be brought on record as defendant no. 7A to 7D.
- 3) Plaintiffs to amend plaint accordingly within 14 days and file amended copy.
- 4) Cost in cause.

Date : 17/02/2026.

(P. S. Jondhale)
Civil Judge (Sr. Dn.),
Wani.