

IN THE COURT OF SMALL CAUSES AT MUMBAI

ORDER BELOW EXHIBIT 5

IN

MARJI NO.230 OF 2019

CNR No. MHSCA2-0012702019

IN

R.A.E. SUIT NO.1689 OF 2014

Shahazada Rahimtulla Khan

... Plaintiff/Respondents

Versus

Mr. Sayyad Nabi and anr.

...Defendants /Applicants

And

Shamsuddin Shahzada Khan and ors.

... Respondents

**Coram : S. N. Morwale,
Judge, C.R.No.25,
Date : 10.12.2019**

ORDER :

1. Applicants have filed this application for seeking permission to add respondent Nos.1 to 3 in place of original plaintiff.
2. Applicants have submitted that they came to know that original plaintiff is dead. Hence, it is necessary to bring his legal heirs on record. Hence, applicants have prayed that they be permitted to bring legal heirs of original plaintiff on record after condonation of delay.
3. Plaintiff has strongly opposed this application.

4. I heard learned counsel for parties. I consider that in the interest of justice, it is necessary to permit applicants to bring legal heirs of deceased plaintiff on record. Hence, I pass the following order :

ORDER

1. This application is hereby allowed.
2. Applicants to bring legal heirs of deceased plaintiff on record within 15 days from today.

(S.N.Morwale)
Judge, C.R.No.25,
10.12.2019

Dictated On : 10.12.2019
Transcribed on : 10.12.2019
Checked and signed on : 10.12.2019