

THE COURT OF CIVIL JUDGE (J.D),TANDA AMBEDKARNAGAR

ORIGINAL SUIT NO . 70 / 2006

CNR NO. UPAN120000012006

DATE -13.10.2020

Present: Parties in Person with Ld. Counsels

Learned counsel for the Petitioner has filed an application no.62A for substitution of Lrs of the deceased Plaintiff Chandrajeet under Order 22 rule 3 read with order 6 rule 17 CPC supported with the affidavit as the death had occurred during the subsistence of the matter before court, prayed the application may kindly allowed.

No objection has been filed on behalf of the opponent

Heard the parties.Considered the material on record.

The perusal of the record shows that the present application has been filed on 26.05.2020 stated that deceased Plaintiff Chandrajeet has died on 06.03.2020. The present application supported with the affidavit.vakalatnama of the proposed Lrs of Plaintiff is on record.The right to sue of the Lrs of the deceased plaintiff is survive against the defendants. The present application has been filed within limitation .

Under these circumstances , In the interest of justice the substitution application 62 A is liable to be allowed

Hence,I pass the following order in the interest of justice.

ORDER

The application 62A is allowed.The legal representative's of the deceased plaintiff are permitted to be brought of record.Plaintiff is directed to amend the plaint with in 7 days from today accordingly.

Matter be put up for replication on 20.10.2020

(PRITI BHUSHAN)
Civil Judge (J.D),Tanda
Ambedkarnagar.
JO CODE-2353