

COMMON ORDER BELOW EX. 81, 82 & 83

1. Perused the application filed by plaintiff side seeking request bringing legal heirs of defendant no. 1, 11, 14 on record. Defendant no. 20 filed say below the application showing no objection. In response of notice defendant no. 14 appeared in the proceeding and filed pursis at Exh. 99 that they are admitting the written statement filed by original defendant no. 14.
2. Heard and considered. Here the present suit is for declaration, possession and in respect of reliefs having a nature that shows the civil rights of the parties are vested in the suit property. In this circumstance the right to sue survives. Therefore, legal heirs of defendant no. 1, 11, 14 are when necessary party to decide the controversy finally, their appearance is necessary.
3. When the fact considered on record it reveals that the nature of the suit include the civil rights of parties, it is necessary to hear them by giving a proper chance. When the rights seem as survived, the legal heirs are the necessary parties. Therefore, granting permission has not caused any prejudice to the other side. Hence following order.

ORDER

- 1 The application Ex. 81 to 83 stands allowed and permitted to take the legal heirs of defendant no. 1, 11 & 14 on record.
- 2 The necessary amendment shall be carry out within reasonable time and shall submit the amendment copy.

Date : 20/07/2026

S. D. Sawarkar
5th Additional Judge
Small Cause Court, Pune