

: COMMON ORDER BELOW EXHS. 52, 54 AND 56 IN
R. C. S. No. 113/2015 :
(CNR No. MHRG11-000555-2015)

Instant applications are filed under Order 22 Rule 4 of the C. P. C. stating that plaintiff Gangubai Namdev Khamgaonkar is died on 28.02.2019. Therefore, it is necessary to bring LR's of deceased plaintiff on record.

2. Perused the application and documents on record. Heard both. Death certificate of deceased plaintiff Gangubai Namdev Khamgaonkar is filed on record.

3. This is the suit for declaration, possession and injunction. Cause of action survive with LR's of deceased plaintiff. Admittedly, there is delay for bringing the LR's of deceased plaintiff on record. But considering the nature of the suit the delay should be condoned in the interest of justice. Hence, I pass the following order :

: O R D E R :

1. Applications (Exh. 52, 54 and 56) are allowed subject to cost of Rs. 200/- to be credited to the Government.
2. The abatement of the suit is hereby set aside.
3. The delay is hereby condoned.
4. The plaintiff is directed to add names of LR's of deceased plaintiff as plaintiff Nos. 1/1 to 1/5. He shall submit amended copy of the plaint on or before the next date.

Mangaon,
Date : 22.10.2019

(A. C. Rokade)
Civil Judge Junior Division,
Mangaon, Dist. Raigad.