

**Pankaj Amrutlal Navalakha**  
**Vs**  
**Bababai Motilal Kothari and Ors.**

**ORDER BELOW EXH.41.**

Plaintiff has sought for amendment to the plaint with specific reference to title clause in the entry of the name of defendant no.1. It is contended that the during the pendency of the suit the defendant no.1 died on 05.11.2024, where as her legal heirs are already on record as defendant no.2 to 8. Plaintiff want to amend the title and want the add the words "Since deceased, through her legal heirs defendant no2 to 8". Application is opposed by the defendant no.1 to 11 and contended that appropriate order may be passed. Since, defendant no.1 is dead, suit cannot proceed against her in original proforma. The related amendment is necessary to proceed further in the matter. Though the application was not moved within the 90 days, it will not affect the nature of relief sought by plaintiff as his not seeking to add any of the LR's. In view of this application is allowed subject to the nominal costs of Rs.500/-. It be paid/ deposited in favour of contesting defendant no.1 to 11. Amendment be carried out within a period of 14 working days and copy of amended plaint may be filed on next scheduled date.

Date -12.06.2025.

(K. R. Singhel)  
7<sup>th</sup> Jt. Civil Judge Sr.Div., Pune.