

CNR NO. : MHSCA20004872018

IN THE COURT OF SMALL CAUSES MUMBAI

ORDER BELOW EXHIBIT 24

IN

R.A.D. SUIT NO.259 OF 2018

Farid Abdul Latif Noorani

... Plaintiff

V/s

Mohammed Abdul Shaikh (since deceased)

1(a) Jamila Mohammed Shaikh & Ors.

... Defendants

And

Asma F. Noorani

... Applicant

Coram : S. K. Bangad

Judge, C.R. No.06

Date : 18.09.2019

ORDER :

Original plaintiff expired on 11.06.2019 leaving behind his legal heirs. One of the legal heirs has filed this application for bringing him on record as a plaintiff.

2. He has stated in his application that other heirs have given their consent for accepting him as a tenant of the suit premises. So, he has filed application for all the legal heirs for bringing him alone as a plaintiff in the suit.

3. Defendants have filed their say and stated that the other legal heirs are not brought on record. The plaintiff has not filed documents to show that all the legal heirs have given their consent for bringing the applicant on record as a plaintiff.

4. The original plaintiff has expired and to continue with the suit his legal heirs who are entitled have to be brought on record. Whether he was tenant or not is the matter of evidence. The applicant wants him to be included as a plaintiff as legal heir of the original plaintiff. Whether the other legal heirs have given their consent to the applicant or not can be decided during the evidence or during the course of the trial. At present, if applicant is claiming himself to be the legal heir of original plaintiff with the consent of all other legal heirs, no prejudice is going to cause to the defendants. Hence, I pass the following order.

:: ORDER ::

1. The application is allowed and applicant is permitted to amend the title clause of the plaint and consequential amendment in the plaint within 14 days.

Mumbai
Date : 18/09/2019

(S. K. Bangad)
Judge, C.R.No.06

Order dictated on : 18/09/2019
Order transcribed on : 18/09/2019
Order checked & signed on : 18/09/2019