

**THE HONOURABLE SRI JUSTICE DILIP B.BHOSALE**  
**CIVIL REVISION PETITION No.4712 OF 2012**

**P.C.:**

Heard learned counsel for the parties.

This Civil Revision Petition is against the order dated 18.07.2012 passed by the Court below on an application bearing I.A.No.194 of 2011 in O.S.No.2167 of 2010. By this order the respondent-plaintiff's application under Order XXII Rule 4 of the Code of Civil Procedure to implead legal representatives of the deceased Smt.Y.Hemalatha Devi as defendant No.2 has been allowed.

It appears that initially I.A.No.28 of 2011 was filed by the respondent-plaintiff to bring defendant's husband on record. Even before the summons was served on the husband, he also died and hence I.A.No.194 of 2011 was filed by the respondent-plaintiff to implead the petitioner as a defendant in the suit.

Learned counsel for the petitioner does not dispute and fairly states that an independent suit by the respondent-plaintiff against the petitioner for the same relief would be maintainable, he being the sole legal representative of the deceased-defendant. Keeping that in view, I would not like to interfere with the order impugned in the instant Civil Revision Petition.

Hence, the Civil Revision Petition is dismissed.

Miscellaneous petitions pending in the Civil Revision Petition, if any, also stand disposed of.

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***DILIP B.BHOSALE, J***

27<sup>th</sup> February, 2015.

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