

ORDER BELOW EXH.29 IN R.C.A. NO.348/2024

(Ravindra Siddheshwar Bhinge vs. Mallikarjun Shankar Bhinge since deceased through legal heirs etc.)

(CNR No.MHSN170023672020)

1. This is an application for bringing legal heirs of deceased respondent No.2D Smt.Ratnaprabha Basweshwar Bhinge on record. Perused application & say given on application itself. Heard both sides.

2. It is contention of the appellants that respondent No.2D Smt.Ratnaprabha Basweshwar Bhinge is died on 26.08.2017. They have also filed affidavit Exh.28 to that effect. Copy of original death certificate of respondent No.1 is also filed along with list Exh.32. It reveals that respondent No.2D died on 26.08.2017. It is submitted by the appellants that they did not obtain necessary information and documents in respect of names and addresses of legal heirs of deceased respondent No.2D in time and therefore, delay has been caused. They have not caused delay deliberately. They prayed to allow the application. Considering the reason of delay and the fact that proposed legal heirs are necessary for adjudication of the matter, delay can be condoned and abatement order can be set aside and the appellants can be allowed to carry out amendment in appeal memo by bringing on record legal heirs of deceased respondent No.2D. Hence, I pass the following order.

ORDER

1. Application Exh.29 is allowed.
2. Appellants are directed to carry out necessary amendment in the appeal memo within 15 days from the date of this order.
3. Application Exh.29 is disposed of accordingly.

Vita
dt.30.01.2026

(R.R. Bhagwat)
District Judge-1, Vita