

MHAH190010572016

ORDER BELOW EXH.52 IN RCS. NO. 311/2016

01. Plaintiff has filed this application to condone the delay for bringing legal heirs on record of deceased defendant no 5. Application is supported with an affidavit. Defendant strongly resisted the said application by filing say and prayed for rejection of the application with heavy cost.

02. Heard. Perused record.

03. Defendant no.5 died on 22.09.2020. The present application is supported with an affidavit and contended that it is necessary to bring on record legal heirs of deceased defendant no. 5 otherwise irreparable loss will be caused to the present plaintiff.

04. The present suit is for Partition. The plaintiff contended that, due to Covid Pandemic and due to ill health of plaintiff he could not present before the court and he could not brought LR's of deceased defendant no. 5 on record within time. Considering the nature of suit it is necessary to bring on record legal heirs of deceased defendant no. 5 to avoid multiplicity of proceedings and for ends of justice. Hence, in above facts and reasons forwarded, application is justified. Therefore I pass the

following order.

ORDER

- (1) Application is allowed.
- (2) Delay is condoned to bring legal heirs of defendant no. 5 on record.

Place : Shevgaon
Date 19/12/2023

Sd/-
(V. B. Dombe)
Jt. Civil Judge Junior Division,
Shevgaon.