

ORDER BELOW EXH.23 IN RCS. NO. 266/2021

01. The Plaintiff has filed this application to condone the delay for bringing legal heirs on record of deceased defendant. Application is supported with an affidavit. Defendant is served with the suit summons but failed to appear in the suit hence, said application is decided Exparte against defendant.

02. Heard. Perused record.

03. Defendant died on 20.12.2022. The present application is supported with an affidavit and contended that it is necessary to bring on record legal heirs of deceased defendant otherwise irreparable loss will be caused the present plaintiff.

04. The present suit filed for recovery. The plaintiff contended that, due to unavailability of necessary documents he could not brought LR's of deceased defendant on record within time. Considering the nature of suit it is necessary to bring on record legal heirs of deceased defendant 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 on record.
- (3) No order as to cost.

Place : Shevgaon
Date 22/10/2024

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