

**COMMON ORDER BELOW EXH. 69 & 71**

Plaintiff no. 2 filed this application for condonation of delay and bringing the legal heirs of deceased plaintiff no. 1 on record.

2. Read application. Perused the record.

3. Date of death of deceased plaintiff no. 1 is 27.04.2019. Plaintiff no. 2 filed this application on 23.09.2019. plaintiff no. 2 submitted that total 33 days delay is caused for filling the application to bring the legal heirs on record. However, it is seen that plaintiff no. 2 did not explain the delay. No caused is mentioned for delay in the application.

4. The plaintiffs instituted this suit for recovery of possession of encroached area. Plaintiff no. 2 is one of the legal heirs of deceased Plaintiff no. 1. Other legal heirs of deceased plaintiff no.1 appears in the matter on 05.11.2019 through their advocate but failed to filed their say. To decide the matter on merit it is necessary to allow plaintiff no. 2 to bring other legal heirs of deceased plaintiff no. 1 on record. Hence, I pass following order.

**ORDER**

1. The applications are allowed.

2. Delay caused to bring the legal heirs on record is condoned.

3. Plaintiff no. 2 is permitted to bring the names of other legal heirs of deceased plaintiff no. 1 on record before next date.

Dt. 25.01.2021

**(U.B.Pethe)**  
2<sup>nd</sup> Jt. Civil Judge(J.D)  
Murtizapur.

**CERTIFICATE**

I affirm that the contents of this P.D.F. File Order/Judgment are same, word to word, as per the original Judgment/Order.

Name of the Clerk	M.M.Dhapad
Name of the Court	Shri. U.B. Pethe 2 <sup>nd</sup> Jt.CJJD & JMFC, Murtijapur
Date of Order & Judgment	25.01.2021
Order/Judgment Signed by the P.O. on	25.01.2021
Order/Judgment uploaded on	29.01.2021