

Order below Exh. 34 in R.C.S no. 152 of 2016

The present application is filed by the plaintiff to condone the delay in bringing the legal representatives of the defendant no. 16 on record.

2. The plaintiff contended that the defendant no. 16 died on 27.08.2018. His legal representatives could not be brought on record within the stipulated period as their names could not be procured within time. Hence prayed to allow the application.

3. The defendants resisted the application contending that the application is not filed within time. Hence prayed for rejection of the application.

4. Perused the application and say. Heard.

5. As per the plaintiff the defendant no. 16 died on 27.08.2018. His legal representatives could not be brought on record within the stipulated period as the plaintiff was ignorant about them. An opportunity needs to be given to the legal representatives of the defendant no. 16 to put forth their case in the interests of justice which will ultimately help in adjudicating the matter on merit as all the necessary parties to the suit should be on record.

Accordingly, the following order is passed :

CNR : MHBI12-000741-2016
Shrikrishna Vs. Mahadev & ors.

ORDER

The application (Exh. 34) is hereby allowed.

Sd/-

Dharur
Date: 23.01.2019

(J.T. Koregaonkar)
Civil Judge,(J.D), Dharur