

M.A.C.P No. 123/2021

Durga Hari Jadhav + 3

vs.

Arjun Pratap Aidasani + 1

CNR NO. MHBUE0-000137-2021

COMMON ORDER BELOW EXH. 35, 36 and 37

(Passed on 17th October, 2024)

01] Claimants have filed three applications for setting aside abatement order, condonation of delay and taking legal heirs on record of deceased claimant Baburao Sonaji Jadhav.

02] Read the applications and say given thereon by opponents. I have heard both sides at considerable length.

03] As per say of claimants, their previous Advocate Mr. B. K. Sanap died, therefore, they were not knowing about the date of proceeding and procedure for bringing legal heirs on record. Per contra, learned counsel for insurance company opposed these applications on the ground of limitation.

04] It is undisputed fact that Advocate Mr. B. K. Sanap is no more and therefore, claimants were not having knowledge of the proceeding and essential steps required to be taken for proceeding further. Reasons given for these applications are bonafide, therefore, applications deserves to be allowed in the interest of justice. With this, I proceed to pass following order.

- O R D E R -

[01] Applications at Exh. 35, 36 and 37 are allowed.

[02] Abatement order is set aside.

[03] Delay of one year and 339 days is condoned and claimants are permitted to take legal heirs of deceased Baburao Sonaji Jadhav on record within statutory period.

[04] No order as to costs.

Mehkar.
Date: 17.10.2024

(**Sagar K. Mungilwar**)
Member, M.A.C.T.
Mehkar.

CERTIFICATE

I affirm that the contents of this PDF file Order / Judgment are correct word to word as per the original.

Name of Court : Shri. Sagar K. Mungilwar
Member, M.A.C.T. Mehkar.

Name of Steno : Shaikh Imran Abdul Rauf,
Stenographer, Grade-2, Mehkar.

Date : 17.10.2024