

MHGA090007422021



IN THE COURT OF EXTRA JT. CIVIL JUDGE (JUNIOR DIVISION), Chamorshi
(Presided Over by S.A. Bhaisare)

Reg.C.S. No. 32/2021

Kawadu Waghunaitam

... Plaintiff

-VERSUS-

Uttam Sudhanya Mandal

... Defendant

ORDER BELOW EXH.69

(Passed on 12th August, 2025)

The present application is made by plaintiff thereby soliciting to condon the delay to bring legal heirs of plaintiff no.1 on record. The application is opposed by the defendant by filing his say.

2. Perused application and reply thereon. Heard both the sides.
3. Perused the record. The suit is filed for perpetual injunction. It appears that the plaintiff no.1 died on 19-08-2024. Considering the nature of suit, the legal representative of the plaintiff no.1 have a right, title or interest in the suit property. They are necessary parties. As such, right to suit survive in their favour.
4. The delay is of 241 days. The reason mentioned in the application that the Lrs. were of the view that as the presiding officer of the Court is on long maternity leave, the would make the application after the regular resumption of the court is not proper. The applicant could have filed the application before incharge court. She failed to do so. Considering the delay, the same

can be addressed by imposing cost. Hence, the following is order passed.

ORDER

1. The Application at Exh.69 is allowed subject to payment cost of Rs. 500/-.
2. The delay of 241 days is hereby condoned.

Sd/-

Place:- Chamorshi
Date:- 12/08/2025.

(S. A. Bhaisare)
Extra Jt. Civil Judge, (Jr.Dn.),
Chamorshi