

MHGO070003922017



Order below Exh.95

(Passed on 9<sup>th</sup> day of July, 2025)

This is an application made for condonation delay by the plaintiff for bringing legal representatives of deceased defendant nos. 1, 2, 3, 7 and 10 on record. It is contended that the defendant no. 1 Insaram s/o Rama Fadale died on 20-10-2024 and left his Legal heirs 1-A- Vilash s/o Insaram Fadale and 1-A- Laxman s/o Insaram Fadale. Defendant no. 2 Sitaram s/o Rama Fadale died on 30/03/2021 and left his legal heirs 2-A- Nilesh s/o Sitaram Fadale, 2-B- Rupesh s/o Sitaram Fadale. Defendant no. 3 Patiram s/o Rama Fadale died on 25/02/2023 and left his legal heirs 3-A- Shubhangi d/o Patiram Fadale, 3-B- Priyanka d/o Patiram Fadale, 3-C- Komal s/o Patiram Fadale and 3-D- Mithin s/o Patiram Fadale. Defendant no. 7 Kaushal @ Kaushalyabai w/o Hiwakchand Neware died on 20/10/2024 and left her legal heir 7-A- Priyanka d/o Hiwakchand Neware and defendant no. 10 Ganesh s/o Dama Fadale died and left his legal heir Kaushalya Ganesh Fadale. However, Plaintiff was not aware about the above fact of death of defendant no. 1, 2, 3, 7 and 10. The defendants would not put to any loss if delay is condoned. Therefore, it is prayed by the plaintiff that delay in bringing above legal representatives of deceased defendant nos. 1, 2, 3, 7 and 10 on record may be condoned.

02. The defendants have not filed their say till today.
03. Heard both sides. Perused record. It appears that defendant nos. 1, 2, 3, 7 and 10 died but the their legal heirs have not been taken on record till today. For proper adjudication of dispute between the parties, it is necessary to bring legal heirs of deceased defendants on record. It is not disputed fact that plaintiff failed to bring aforesaid legal heirs within stipulated period. However, by filing present application, he prayed to bring legal heirs by condoning delay. Therefore, as present application is not opposed by remaining defendants and for proper disposal of the suit, it is necessary to condone delay in filing application for legal heirs subject to costs. Resultantly, I proceed to pass following order:-

**ORDER**

1. Application (Exh. 95) is allowed.
2. Delay for filing application of bringing legal representatives of deceased defendant no. 1, 2, 3,7 and 10 on record is hereby condoned subject to costs of Rs.200/- (Two Hundred Rupees) to be deposited by the plaintiff in the Court.

(V. S. Mendhe)  
Civil Judge Junior Division,  
Deori.

Dated-09-07-2025.

प्रमाणपत्र

मी अधिकथन करतो की, या पी.डी.एफ. करुन अपलोड केलेल्या न्यायनिर्णयामधील शब्द-नि-शब्द हे मूळ न्यायनिर्णयाप्रमाणे आहेत.

लघुलेखकाचे नाव	:संजीवन वामन मळामे,
न्यायालयाचे नाव	:न्याय दंडाधिकारी प्रथम वर्ग, देवरी.
न्यायनिर्णयाची तारीख	:०९/०७/२०२५
न्यायनिर्णयावर पीठासीन अधिकारी यांनी	:०९/०७/२०२५
स्वाक्षरी केल्याची तारीख	
न्यायनिर्णय अपलोड केल्याची तारीख	:०९/०७/२०२५