



COMMON ORDER BELOW EXH.17 TO 19
IN CIVIL MISC. APPLN. NO.16/2021

[CNR No.MHKO090000792021]

The present applications are filed for delay condonation, setting-aside abatement and bringing legal heirs on record. It is the contention of the applicants that daughter of deceased are residing at their in-laws house and son of deceased residing at out station for the service and business. Therefore, they could not contact to their Advocate and give necessary information. Therefore, delay occurred. The delay is not intentional but due to unavoidable circumstances. So, the delay be condoned, abatement be set-aside and permission be granted to bring legal heirs on record. Heard Ld. Advocate for the applicant at length. Admittedly, the applications are filed at belated time. The applications proceeded without say.

2. Perused the reasons mentioned in the applications. The reasons are satisfactory. It is also important to note that the provisions of Order XXII is not applicable to the miscellaneous applications. Therefore, there is no question of condoning the delay. Hence, it is just and proper to allow the applicant to bring the legal heirs on record. Therefore, I am of the view that the

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applications need to be allowed subject to cost. Hence, I pass the following order :-

ORDER

- 1] The application for bringing legal heirs on record is allowed subject to the cost of Rs.500/- (In Words Rupees Five Hundred Only). The cost be deposited to the office of Taluka Legal Services Authority, Gadhinglaj. The applications for condonation of delay and setting-aside abatement is filed.
- 2] The legal heirs of applicants are permitted to add as legal heirs of deceased applicant on record till next date.
- 3] Applicants to comply.

Place : Gadhinglaj.
Date : 17.12.2024.

(N. S. Puri)
Civil Judge Senior Division,
Gadhinglaj