

MHKO090002332017



ORDER BELOW EXH. 30 IN SPL. CIVIL SUIT NO. 24/2017

1. The plaintiff has filed an application for condonation of delay at Exh. 31 and to bring legal representatives of defendant No. 2 on record at Exh. 30.
2. It is submitted that defendant No. 2 died on 14.04.2021. However, the legal representatives were not brought on record. On 08.03.2022, the aforesaid application was filed. The reasons given for the delay is Covid – 2019 pandemic. It is further submitted that the plaintiff was unaware the fact that the application for bringing legal representatives on record is required to be filed after death of any plaintiff. Similarly, it is submitted by the plaintiff that he could not meet the advocate for making suitable application. The defendants failed to file say.
3. Considering the reasons given in the application, I find that in the interest of justice, the delay can be condoned. Similarly, the names of legal representatives of defendant No. 2 given by the plaintiff appears to be correct. Accordingly, I pass the following order -

ORDER

1. The application is allowed and the plaintiff is permitted to bring legal representative of defendant No. 2 on record.

2. The amendment shall be carried out within 14 days from the date of this order and amended plaint with its copies shall also be filed within same period.

Date : 11.07.2023

(G. V. Deshpande)
Civil Judge Senior Division,
Gadhinglaj