


MHKO110003062014 	<u>R.C.S. No. 102/2014</u> <u>Ashok Eshwara Kambale</u> <u>Vs.</u> <u>Sunil Jaysingh Kambale</u>
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ORDER BELOW EXH. 67

Present application is filed by the plaintiffs to condone the delay for bringing legal heirs of deceased plaintiff No. 1 on record.

02. The plaintiffs contended that, plaintiff No. 1 namely, Ashok Ishwara Kamble has died on 06/10/2022. Due to insufficient documents, plaintiffs failed to bring legal heirs of deceased plaintiff No. 1 on record within stipulated period. No prejudice will be caused to the defendants if present application is allowed. Hence, for the reasons stated in the application, plaintiff prayed to allow the application.

03. Defendants have filed their say overleaf of the application and strongly resisted to it by contending that, no cogent reasons stated in the application. Plaintiffs have not explained the delay day to day. Only to prolong the matter plaintiffs have filed present application. Sufficient opportunity was already given to the plaintiffs to bring legal heirs on record. Hence, present application be rejected with costs.

04. I have perused application and say. It appears that, present suit is filed for partition, separate possession declaration and injunction against the defendants. If legal heirs of deceased plaintiff No. 1 are added as party they will be legally entitle to proceed with the matter. So far as the delay in filing the application is concerned, it would be proper to allow the application by awarding costs on plaintiffs. Considering the nature of litigation it is necessary to condone the delay caused by plaintiffs. Hence, I pass following order.

ORDER

Present application (Exhibit No. 67) is allowed subject to costs of Rs. 1000/- (Rupees One Thousand Only) payable to defendants.

Date : 20/04/2026
Peth-Vadgaon.

(J. N. Bhasme)
Jt. Civil Judge Junior Division,
Peth-Vadgaon.