



ORDER BELOW EXH. 51 in RCS No. 194/2013

CNR Number is MHKO110007432013

(Passed on 28/09/2021)

1. Through this application, heirs of plaintiff prayed for condoning delay caused for bringing legal heirs of deceased plaintiff Anil Dattajirao Pawar who died on 28/07/2020 on record. Delay is approximately of more than 7 months 25 days. Reason mentioned for delay is due to Covid-19 Pandemic situation.
2. Other side have filed reply on this application and contended that, necessary order may be passed in the interest of justice.
3. Perused record. This application and say on it. Heard learned advocate for plaintiff and defendants for sufficient time.
4. Present suit is filed by plaintiff for permanent injunction and deceased plaintiff is necessary party to this suit. Plaintiff survives by legal heirs. Having gone through the application, nature of the proceeding and fact that delay to bring on record is of more than 90 days to bring heirs, I am inclined to allow the application and to proceed on merits instead of technicalities. It is to advance justice and bury injustice. Resultantly, following order.

ORDER

1. Application at Exh. 51 is allowed.

2. Delay caused for bringing legal heirs of deceased plaintiff Anil Dattajirao Pawar died of more than 7 months 25 days is hereby condoned.

Sd/-

(C. S. Deshpande)

Date :- 28/09/2021

Jt. CJJD, Peth-Vadgaon.