



Common Order Below Exh. 34, 35 and 36 In
RCS No. 163/2023
CNR No. :- MHKO110011192023
Passed on 08/10/2025

By the aforesaid applications, the representatives of plaintiff No.2 is seeking permission to bring legal heirs of the deceased plaintiff No.2 on record by setting aside abatement and condoning delay.

02. The defendants have filed their say and opposed the instant applications on the grounds that, reasons mentioned in this applications are not sufficient. Hence, applications deserves to be rejected. If applications are allowed then heavy costs should be made against plaintiff. Accordingly prayed for necessary order.

03. Read application and say. I have heard the learned advocate for plaintiffs and defendants.

04. The representatives of plaintiff No.2 has stated that, plaintiff No.2 Balaso @ Akaram Baburao Suryawanshi is died on 19/04/2025. Therefore, the representatives plaintiff No.2 ought to have bring the legal heirs of plaintiff No.2 on record. However, delay is 11 days. Reason mentioned that, due to sudden death of plaintiff No.2, representatives of plaintiff No.2 could not file an application within stipulated period. Considering the fact and circumstances of the case, it is necessary to allow the applications to bring legal heirs on record by setting aside the abatement so caused and condoning delay. However, negligence on the part of plaintiffs shall not be overlooked. Hence, applications are allowed on imposing costs. Hence, I pass the following order.

ORDER

Applications (Exh.34, 35 and 36) are allowed subject to costs of Rs.600/- payable to defendants.

Date : 08/10/2025
Peth-Vadgaon.

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