



COMMON ORDER BELOW EXH. 71, 72 & 73 IN
R.C.S.No. 30/2012

1. Learned advocate of plaintiff further filed applications at Exh. 71, 72, 73 and submitted that, one LR's of deceased Tukaram Dattu Patil i.e. Sunil Tukaram Patil died during pandemic situation on 27/12/2020. Further, Exh. 73 Shobhatai Patil, Vaishanvi Patil, Anita Patil, Pradip Patil are LR's of deceased Sunil Patil.

2. Say to this applications filed below Exh. 82 contended that, the information of death was within knowledge of plaintiff as per pursis filed below Exh. 70. Even then, the plaintiff has not shown due diligence. Therefore, there is negligence of part of plaintiff. Thus, grounds mention in the application not justifiable. Hence, urged to reject the application. Alternatively, it is prayed to impose costs of Rs.5000/- upon plaintiff, if the Court comes to conclusion to allow the application.

3. Perused the record. Heard the both parties.

4. Learned advocate of defendants are absent on call. Record indicates that, deceased Sunil Tukaram Patil died during pandemic period. Now, considering the limitation period it will starts from 01/03/2022 in view of Suo motu Writ Petition No.03/2020 decided on 10th January, 2022. Further, this application is moved on 16/03/2022. Thus, this application is within limitation. Hence, it will be just and proper to allow this

applications. The plaintiff shall bring the LR's of deceased Sunil Tukaram Patil on record on or before next date. The plaintiff shall carry necessary corrections in the plaint and shall submit the amended plaint. No order as to costs.

Sd/-

Kagal
Date:- 01/08/2023

(B.D.Gore)
Civil Judge Junior Division,
Kagal.