



ORDER BELOW EXH.60 IN R.C.S. NO.218/2014
[Aappasaheb Gangaram Mahar (Waghmare) and Ors. v. Babsaheb Krushnarao Pol (deceased) through LRs.]

Plaintiffs have filed present application for bringing on record legal heirs of deceased plaintiff No.1.

02. Defendants have strongly resisted present application by filing their say on overleaf of present application contending that, say filed by them on overleaf of application (Exh.58) may be treated as their say on present application. They contended that, the application is devoid of merits. Hence, they prayed that, the application may be rejected with cost. They have alternatively contended that, if the Court comes to the conclusion to allow present application, heavy cost may be imposed upon applicants for delay caused by them in filing present application.

03. Heard learned advocates for both parties, at length. Arguments are set forth in consonance of their pleadings.

04. On perusal of record and proceeding it appears that, plaintiff No.1 has died on 12.08.2018. Abatement order passed against plaintiff No.1 has been set aside as per order passed below Exh.59 dated 24.09.2025. Moreover, delay caused in bringing on record legal heirs of deceased plaintiff No.1 has been condoned as per order passed below Exh.58 dated 24.09.2025. Hence, in view of above peculiar facts and circumstances, it is just and proper to allow present application subject to compliance of orders passed below Exh.58 and 59 dated 24.09.2025. Resultantly, I pass following order :-

:: ORDER ::

1. Application (Exh.60) is hereby allowed subject to compliance of orders passed below Exh.58 and 59 dated 24.09.2025.
2. Plaintiffs to bring on record legal heirs of deceased plaintiff No.1 and file amendment copies of the plaint

till next date as per rule.

3. Compliance of orders passed below Exh.58 and 59 dated 24.09.2025 shall be condition precedent for bringing on record legal heirs of deceased plaintiff No.1.

(Dictated and pronounced in the Open Court).

Date: 24.09.2025
Kurundwad.

(Balasaheb S. Gaikwad)
Civil Judge, Junior Division,
Kurundwad.