



Order Passed below Exh.25 in R.C.S.No.63/2020

This is an application made for bringing legal representatives of deceased defendant No.1 Vasant Ganapati Hande on record. It is contended that the deceased defendant No.1 Vasant Ganapati Hande is died on 27-05-2021. However, lock down declared in the nation due to Covid-19 disease, the legal representatives of deceased defendant No.1 could not bring on record within limitation. Ultimately, it is prayed that legal representatives of defendant No.1 may be allowed to bring on record.

02. Accordingly, notices issued to proposed legal representatives of deceased defendant No.1. They appeared through their advocate and filed say on overleaf of application contending that limitation for bringing legal representatives of deceased defendant No.1 is already over. As such, suit is abated against defendant No.1. The reason mentioned in application is not satisfactory. Therefore, they prayed for rejection of application with costs.

03. Heard both sides. Perused record it appears that defendant No.1 Vasant Ganapati Hande is died on 27-05-2021. His death certificate is produced on record. The suit is instituted for removal of encroachment, declaration and perpetual injunction. The delay in bringing legal representatives of deceased defendant No.1 on record is

condoned vide order below Exh. 23 and abatement is set aside vide order below Exh.24. Considering reason mentioned in application and nature of suit, it is necessary to bring legal representatives of deceased defendant No.1 on record. Hence, following order.

Order.

1. Application is allowed.
2. The legal representatives of deceased defendant No.1 be brought on record within 14 days from today.

Kale-Kheriwade.
Dated-14-03-2022.

(V.V.Khulape)
Civil Judge Junior Division,
Kale-Kheriwade.