

Order passed below Exh.12.

1. Application filed by on behalf of appellant No.2 for condonation of delay. It is contended that appellant No.1 died on 08-03-2014 due to his old age. He filed affidavit alongwith application Exh.12. He also filed xerox copy of death certificate issued on 28-03-2014 which shows that deceased Rukminbai Hanmantrao Jidde died on 08-03-2014. Therefore he filed condonation of delay application for bringing the legal heirs of deceased Rukminbai on record.

2. Per contra, respondent No.1 filed say and resisted the application filed by the applicant below Exh.12. He contended that delay has not been properly explained. Therefore he prayed for rejection of application.

3. I heard both the side.

4. Considering contents of application Exh.12 and say filed by respondent No.1 it appears that delay caused near about 1 year and 10 month. It is already on record that deceased-appellant No.1 died on 08-03-2014. Therefore considering entire contents of the application and say of the respondent it is just and proper to allow application of delay condonation on condition that cost of Rs. 500/- payable to respondents. Therefore in the

interest of justice I pass following order.

O r d e r

Application for condonation of delay is allowed on condition cost of Rs.500/- (Rs.Five hundred) which is payable to respondents.

Dated : 14-11-2016.

(M. H. Pathan)
District Judge-6, Latur.