



**Order Below Exhibit 37**  
**(Passed on 08.01.2026)**

This application is for bringing the L.Rs. of appellant /original defendant Rama Limba Shinde on the record who died on 21.09.2021 in appeal filed against order passed below application Exh-5 dated 14.08.2017.

2] Learned advocate Shri. P.D. Dede submits that appellant/original defendant died on 21.09.2021 and the appellant plaintiff was totally unaware about it. The delay is not at all intentional and 02 years and 28 days delay has been caused, for bringing the L.R's on record. Hence, he prays to bring the legal heirs on record. He has also filed supporting affidavit Exh.38 to substantiate their claim.

3] Learned Advocate Shri. A.D. Mane for non-applicant 6 strongly opposed this application.

4] Heard Learned Advocates, Shri. P.D. Dede for the appellant/original defendant and Shri. A.D. Mane for non-applicant 6.

5] Perused the record. Learned Advocate Shri. P.D. Dede submits that appellant/original defendant died on 21.09.2021 and has filed death certificate in that regard. Delay does not appear to be deliberate or

intentional

6] The reasons assigned for delay is satisfactory and proper. Today, I have condoned the delay and set aside abatement order.

7] It is necessary to mention that no harm, prejudice or injustice will be caused to the appellant /original defendant, if application is allowed. Per contra irreparable loss may be caused to the non-applicant/ original plaintiff, if it is not allowed. That apart, it will be in the interest of justice to allow this application so that the non-applicant/ original plaintiff, can put up his case. This will be helpful for the just and fair adjudication of the dispute of this case on merits. In result, following order is passed.

**Order**

- 1) This application (Exhibit 37) stands allowed.
- 2) Permission is hereby granted to bring the legal heirs of deceased appellant /original defendant Rama Limba Shinde on record on or before next date.
- 3) In failure to comply the same, this order shall stand automatically vacated.

Date:08.01.2026.

S.T. Tripathi  
District Judge-2  
Latur