



:: ORDER BELOW EXH.30 ::

- 01.** The application is submitted under Order 1 Rule 10(2) of the Code of Civil Procedure, 1908.
- 02.** The applicants were impleaded in Civ.M.A. No.20/2020 being the objection petitioners, against that order a writ petition is filed by the applicant Kusum. The Hon'ble High Court has not passed any order in it. The applicant Kusum, deliberately not amended the petition even after allowing the objection petitioners to be impleaded in the petition. Objection petitioners are legally entitled for the succession certificate. The original Civ.M.A. no.29/2020 was dismissed in default. Present application is filed for restoration of the original Civ.M.A. no.29/2020. So, it is prayed that, being interested parties applicants may be added in the petition.
- 03.** Say is filed by the applicant Kusum at Exh.34. According to her, the objection petitioner have knowledge of the writ petition, yet he misled the court and got the Civ.M.A. no.29/2020 dismissed in default. If Civ.M.A. no.29/2020 restored automatically the objection petitioners would be taken on record. She is the second legal wife of late Rustumrao. So, the application may be rejected.
- 04.** Heard advocates for the respective parties.
- 05.** The petition is filed to condone the delay caused to file the restoration application. The applicant has added three financial institutes and Sojarbai Mule to be opponents. As this is a delay condonation petition, the applicant has to explain the causes of the delay. If the delay is

condoned, after considering the grounds and evidence, the applicant Kusum would get a chance to satisfy the court about necessity to restore the original Civ.M.A. No.29/2020. If the delay is not condoned, there is no question to restore the petition. Therefore, at this juncture the third party applicants are not necessary parties without whom the applicant cannot be decided or adjudicated upon. So, there is no merit in the application. Hence, it is rejected.

Sd/-

{ S.N.Sarde }

Civil Judge Senior Division,

A h m e d p u r

Date : 18/02/2026.