

**Order below Exh.24 in RCS No.151/2020**

By this application plaintiff Nos.2 and 3 have requested to condone the delay caused by them in bringing the legal heirs of deceased plaintiff No.1 on record, who died on 15/09/2023, on the grounds mentioned in the application. Defendant Nos.1 and 3 failed to file their say. Perused application. Heard learned advocate Shri.M.R. Jagtap for plaintiff Nos.2 and 3. Record shows that plaintiffs have filed this suit for injunction and demarcation of boundaries. Defendant Nos.1 and 3 have filed their WS at **Exh.18**. The suit is proceeding ex-parte against rest of the defendants. Issues are framed at **Exh.20** on 23/08/2023.

2. From the contents of application it appears that plaintiff No.1 Shahuraj Sakharam Patil died on 15/09/2023. Plaintiff Nos.2 and 3 have filed his death certificate at list below Exh.23/1 and it shows that he died on 15/09/2023. Plaintiff No.2 is widow of plaintiff No.1 and plaintiff No.3 is their daughter. In such situation and taking into consideration the relationship of deceased plaintiff No.1 with co-plaintiffs, it was their duty to move present application within limitation. There is delay of approximately more than 11 months. Be that as it may. This delay can be condoned by imposing penalty upon plaintiff Nos.2 and 3. Hence, I pass following order:-

**ORDER**

1. The delay caused by plaintiff Nos.2 and 3 for bringing the legal heirs of deceased plaintiff No.1 on record is hereby condoned subject to penalty of Rs.500/- to be deposited by them with TLSA, Nilanga on next date or on any other date as extended by the Court.
2. After payment of penalty amount, necessary order will be passed on the application at **Exh.26**.

Date :18/12/2024

(Ashish B. Marlecha)  
Civil Judge (Sr.Dn.),  
Nilanga, Dist. Latur.