

MHLA110001112015



Order below Exh.174 in RCS No.132/2012

Bapurao Vs. Pandurang & Ors.

By this application plaintiff has requested for condonation of delay in bringing the legal heirs of deceased defendant No.7 Kalubai and deceased Vilakshanabai, one of the legal heir of Kalubai who died prior to the latter, on record on the grounds stated in the application. Defendant Nos.1 to 3,8,13,21 and 23 have filed their say and raised strong objection. Other defendants failed to file their say. Perused application and say. Heard both the sides. Record shows that defendant No.7 Kalubai died on 23/03/2022, as mentioned in the application and her daughter died on 26/01/2021 i.e. prior to the death of deceased Kalubai. However, rights of Vilakshanabai will accrue after the death of deceased Kalubai. Considering the nature of suit and the relief claimed, in my opinion, the delay which is meagre requires to be condoned. Hence, I pass following order:-

ORDER

1. The application is allowed.
2. Delay caused in bringing the legal heirs of deceased defendant No.7 Kalubai and deceased Vilakshanabai on record is hereby condoned.

Order dictated and pronounced in open Court.

Date : 17/08/2022

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