

MHLA110011662018



Order below Exh.52 in RCS No.414/2017

Balika & Ors. Vs. Gulshanbee & Ors.

By this application plaintiffs have requested for condoning the delay of approximately 7 months caused by them in bringing the legal heirs of deceased defendant No.1/A Shri. Vasant Vishwambhar Biradar on record and for granting the permission to bring them on record, on the grounds stated in the application. Defendant Nos.3 and 4 have filed their say and raised strong objections. Perused application and say. Heard both the sides. From the contents of application it reveals that the defendant No.1/A Shri.Vasant Vishwambhar Biradar died on 13/07/2020. It is pertinent to note that most of the period during which this application ought to have been moved was under Covid-19 pandemic. Thus, the delay caused by the plaintiffs can be condoned and no prejudice will be caused to the defendants. For these reasons, I pass following order:-

ORDER

1. The delay caused by plaintiffs in bringing the legal heirs of deceased defendant No.1/A Shri. Vasant Vishwambhar Biradar on record is condoned.
2. Permission is hereby granted to bring the legal heirs of deceased defendant No.1/A Shri.Vasant Vishwambhar Biradar on record.
3. Plaintiffs shall carry out necessary amendment in title clause of the plaint and shall submit the copy of amended plaint to the Court and for the defendants at the earliest.
4. No order as to costs.

Date :14/03/2023

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