



**COMMON ORDER BELOW EXH. 61 & 63**  
**CNR No.MHLA150000562013**

Plaintiffs, defendants and their respective advocates all are absent. Perused the application at Exh.61. This application is filed by plaintiff to condone the delay caused to take L.R.'s of deceased plaintiff namely Kishan. The plaintiff namely Kishan is reported to have died on 15/03/2018. This suit is for perpetual injunction with declaration of ownership. The deceased plaintiff is survived his legal representatives as mentioned in application at Exh.63 at serial no.1/1 to 1/3. They are legal heirs of the deceased plaintiff. The right of sue therefore survives. The application to bring the legal representatives of the deceased plaintiff on record of the suit is not made within limitation period of 90 days as is prescribed by Article-120 of the Limitation Act, 1963 from the date of death of the deceased plaintiff. In the result, I pass the following order.

**ORDER**

1. Application at Exh.61 is allowed subject to cost of Rs.500/- (Rs. Five hundred only) to be paid to defendant nos.1 to 3.

2. The delay caused to take L.R.'s of deceased plaintiff is hereby condoned after payment of cost.
3. Application at Exh.63 is allowed.
4. The plaintiffs are allowed to bring the legal heirs of the deceased plaintiff on record of suit within stipulated period of 14 days from the date of this order, subject to cost of Rs.300/- to other side.

Date- 05-02-2020

**(A.S. Alewar)**  
C.J.J.D., Chakur.