

COMMON ORDER BELOW EXH.59 & 61
(on 17th July, 2026)

By this application the plaintiff is seeking permission to bring on record legal representative of deceased plaintiff and condonation of delay.

2. The learned Advocate Shri. A.G.Dange for the plaintiff has submitted that, the application is supported with affidavit stating reason therein. So the application is liable to be allowed. On the other hand, learned Advocate Shri.K.S.Baig for the defendants has opposed application on the ground that, there is delay to file the application. No sufficient reason is cited to allow the application. The application is filed beyond period of limitation.

3. Perused the application filed by plaintiff. So also entire record. The application is supported by an affidavit stating reason of inadvertent delay to bring legal representative of deceased plaintiff owing to not having present at village within time. It appears that, the plaintiff had sufficient cause which prevented him from making such application. Therefore, permission to bring on record legal representative of deceased plaintiff is necessary by condoning delay, as right to sue survive. It is therefore, necessary in the interest of justice to allow the application. Hence, the following order is passed :

ORDER

1. The application is allowed and delay is condoned.

2. The plaintiff shall carry out necessary amendment within 14 days.

Date : 17.07.2026

(K.S.Khandare)

Place : Kandhar

Civil Judge Junior Division,
Kandhar