

MHNG010091982013



BEFORE THE PRINCIPAL DISTRICT JUDGE, NAGPUR
[Presided over by Dinesh P. Surana]

Reg. Civil Appeal No. 441 of 2013

Smt. Rajeshree Wd/o Chandrabhan Mandhalkar + 3 others

.. Versus ..

Yuvraj S/o Sadashiv Shahane + 7 others

Order below Exh.52

[Passed on 16.04.2026]

By way of order below Exh.39 dated 09.05.2025, the appellant was directed to bring the legal heirs of deceased respondent No.2 on record within 15 civil working days. However, the compliance was not made.

2] Vide order below Exh.49, an adjournment application filed by the appellant for grant of time to bring the legal heirs of the respondent No.2 on record, whereon this court noted that “from 25.09.2025 till date the appellant was having time to file appropriate application, but in vain. Hence, case is fixed for DID”.

3] By this application, order below Exh.49 is sought to be set aside with time to carry out amendment by bringing the legal heirs of

[2]

respondent No.2 on record.

4] By way of say, respondent No.1, 2(1) and 3 opposed the application. The other respondents were proceeded without say on Exh.52.

5] Heard Adv. V.V. Tekade for the applicant/appellant. The counsel for respondents remained absent when called.

6] There is apparently delay and latches on the part of the appellant. However, such delay can be compensated in terms of the costs. As such, following order is passed.

ORDER

(i) Application Exh.52 is allowed subject to payment of costs of Rs.500/-, to be deposited with the office of District Legal Services Authority, Nagpur, today itself.

(ii) Order below Exh.49 is called back.

(iii) The appellant is directed to carry out amendment by bringing the legal heirs of deceased respondent No.2 on record in view of order below Exh.39.

(iv) Amendment be carried out forthwith.

Nagpur.
Date : 16/04/2026

[Dinesh P. Surana]
Principal District Judge, Nagpur.

