

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK

Special Civil Suit No. 14/2023

(Old Spl.C.S. No. 788/2012)

Mohd. Gulshad Mohd. Hanif and ors. Vs. Mumtaz Mohd. Taj and ors.

Order below Exh.119

(Dated 16.04.2024)

The plaintiffs have filed the present application for bringing legal heirs of deceased legal representatives No.2 of defendant No.10 namely Yunus Israil Mansuri, who died on 13.02.2022 on record. Ld. advocate of plaintiffs further submitted that there is delay of 241 days as they had no knowledge about the death of Yunus Israil Mansuri. Ld. advocate of plaintiffs has further submitted that the delay which was arisen is beyond control of the plaintiffs, therefore, delay may be condoned.

2. On the other hand, proposed legal heirs of legal representative No.2 have not filed their say despite of receipt of notice.

3. Heard Ld. advocate of plaintiffs. I must mention here that reason given for condonation of delay is not just. However, in the interest of natural justice, delay is require to be condoned, subject to cost of Rs.500/-. Hence, I pass following order-

ORDER

1. The application is allowed, subject to cost of Rs.500/-.
2. The cost be paid to the proposed legal heirs of legal representative No.2 of defendant No.10.

Ramtek.
Date : 16.04.2024

[S.M. Sarode]
Civil Judge Senior Division,
Ramtek.