

Cri.M.A. No. 1/2019

Umakant Vs. Municipal Council Ramtek

Order below Exh. 12

(Passed on dated 04/09/2023)

The present application is filed by appellant for bringing legal heirs on record. The present appeal is filed under Section 169 of the Maharashtra Municipalities Act, 1965. During pendency of this appeal, the appellant died on 10/05/2021 leaving behind his legal heirs mentioned in application. The legal heirs want to substitute their names on record for the interest of justice. The respondent filed their say and submitted that this application is not maintainable on the ground that the proceeding is criminal nature. If the proceeding is treated as quasi civil thereby the legal heirs are not brought on record within limitation. The Advocate of appellants argued that when the appellant was died at that time the limitation act is suspended by the Hon'ble Supreme Court on the ground of Covid-19. After hearing of both sides Advocate, I came to the conclusion it is just and reasonable to bring the legal heirs on record. The proceeding is an quasi civil in nature. The appellant died during the pandemic of Covid-19. At that period, the limitation Act is suspended by the Hon'ble High Court. The present application is within limitation. Hence, the application is allowed. The appellant is directed to bring the legal heirs on record as per prayer within a limitation.

Ramtek.

Date :- 04/09/2023.

(H. S. Satpute)

Judicial Magistrate First Class,
Ramtek.