


MHNG180010792017 	<p style="text-align: center;"><u>R.C.S. No. 55/2017</u> <u>Kalpana Vs. Nagubai & Ors.</u></p> <p style="text-align: center;"><u>ORDER BELOW EXH. 26</u> (Passed on this 19th July, 2023)</p>
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Present is an application to condone the delay in bringing legal representatives of deceased defendant No. 2 on the record. It is stated in the application that, the defendant No. 2 namely Shri. Purushottam Parasram Dongarwar is died on 06.07.2019. Plaintiff came to know about the death of defendant as per pursis filed by counsel for defendant on 10.04.2023 and thereafter made in inquiry for confirmation of the death and thereafter plaintiff has required to collect information about name of the legal heirs of deceased and therefore, some time has been passed in moving this application. Due to Covid-19 pandemic and lock-down the plaintiff could not move the application.

2. The application appears to have filed on 10.04.2023. No say is filed to opposed the application till today. Therefore, it is necessary to proceed with the application without say. Considering rights of the parties involved in the suit, I am of the opinion that delay shall be condoned to meet the ends of justice and to avoid multiplicity of proceedings. Considering delay in filing of the application, cost shall be imposed as the application is preferred after expiry of period of Corona pandemic. Cost shall be calculated excluding period of Corona pandemic. Therefore, having regards to the facts, I pass order.

ORDER

The application is allowed and delay in bringing legal representatives of deceased defendant No. 2 is condoned subject to cost of Rs. 300/-.

Kalmeshwar.
Date 19.07.2023.

(Y.S. Kawade)
Civil Judge Junior Division,
Kalmeshwar, District Nagpur.

CERTIFICATE

I affirm that the contents of the this PDF file order are same word to word, as per the original Order.

Name of the Stenographer :- R. S. Daware (Gr. III)