

Order below Exh.1, 18 and 19 in R.C.S. No.127/2017
(CNR MHNS23 001609 2017)

The legal heirs of plaintiffs' have filed these applications for condonation of delay of 55 days and to bring their names on record as the legal heirs of deceased plaintiff i.e. Bahiru Sakharam Dhupekar. They have stated that, their father was died on 08-06-2018 at Kananwadi. They have further stated that, they are illiterate and they belatedly gave the death certificate of the plaintiff to his advocate, therefore, the delay is caused. Hence, they prayed that, delay may be condoned and they be permitted to bring on record the legal heirs of the plaintiff.

2. The defendants have filed their say and stated that, the reasons stated of delay is not proper. They have further stated that, the plaintiffs have deliberately prolonged the matter. Therefore, application may be rejected. They have alternatively prayed that, if the application is allowed then heavy costs may be imposed.

3. Hearing of the suit has yet not started. Therefore, considering the nature of the suit and the stage and in the interest of the justice and to decide the suit on merit, it seem proper to give an opportunity to the applicants. But at the

same time, it is necessary to compensate the defendants for the delay caused by the plaintiffs. Hence, the applications are allowed subject to payment of costs of Rs.500/- by applicants to the defendants.

Place: Igatpuri.

Date:- 06.12.2018

(K. I. Khan)

Civil Judge, J. D. Igatpuri.