

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, YEOLA,
DIST – NASHIK
(Presided over by Shri. M. I. Lokwani)**

**Civil Misc. Application No.22 of 2024
(CNR NO. MHNS270006492024)**

ORDER BELOW EXH. 31

1. This application is filed for condonation of delay.

2. It is submitted by appellant that respondent No.1 Bhimraj Baburao Gaware died on 10-12-2024, his LRs required to be brought on record within 90 days but the officers of Gram Panchayat did not give Death Certificate of respondent No.1, therefore appellant could not brought on record the LRs of respondent No.1 within stipulated time and delay of 5 months caused to bring the LRs of respondent No.1 in filing of appeal. Hence, appellants prayed that delay of 5 months may kindly be condoned and accordingly application may kindly be allowed.

3. On the other hand respondent filed reply on 14.10.2025 and submitted that the application based on false contents and hence liable to be rejected. It is submitted that there is nos sufficient cause brought on record hence prayed to reject the application.

4. Considering the submissions of both sides and gone through record, it appears that Civil Appeal No.22 of 2024 is pending in the Court. Meanwhile respondent No.1 died. Due to aforesaid reason appellant couldnot brought the LRS on record. If the delay is not condoned then it will cause hardship to the appellant. If delay is condoned then it will not prejudice to the right of the respondents. The appeal will be decided on its own merit. But to give fair opportunity, delay is require to be condone on

costs. Hence, in the interest of justice and to give fair opportunity, I proceed to pass following Order :

ORDER

- 1) Application below Exh.31 in Civil M.A. No.22 of 2024 for condonation of delay is allowed subject to cost of Rs.1000/- to be paid to the respondents within 15 days from the date of Order.
- 2) After payment of costs applicant can take steps to bring the LRs on respondent No.1 on record .
- 3) Application below Exh.31 stands disposed off accordingly.

Date :01-12-2025.

**(M.I. Lokwani)
District Judge-1, Yeola.**