

ORDER BELOW EXH NO 54

1. Present application is filed by the plaintiff no. 1 for exemption of delay.
2. Heard both parties Advocate.
3. It is contended by the plaintiff that on 2/9/2014 the plaintiff no 2 died and his are resided at Mumbai. The suit is abated against the plaintiff no. 2 . The heairs are not taken on record within limitation. Hence prayed for exemption of delay and for set aside the order.
4. The defendants are took the strong objection on this application and contended that the false application filed by the plaintiff. The reasons mentioned in the application are not reasonable. The plaintiff has knowledge about the death of plaintiff no 2. The plaintiff intentionally avoid to took the heairs on the record. Hence prayed for rejection the application.
5. The suit is filed by the plaintiff for the declaration and injunction. The interest of the plaintiff involved in the suit. The reasons mentioned in the application are reasonable. It is just and reasonable to give the

opportunity to both parties. Hence the application is liable to allowed and the delay caused by the plaintiff is liable to condoned. Hence in the interest of justice I pass the following order.

ORDER

1. Application is allowed.
2. The delay caused to took the heairs on the record is condoned subject to cost of Rs. 200.

Date- 10/1/2017

(H.S.Satpute)
3 rd Jt. Civil Judge Junior Division Bhoom.