

MHOS150017922015



R.C.S. No. 838/2015
Namdev & Ors. Vs. Sanjay & Ors.
CNRNOMHOS150017922015

COMMON ORDER BELOW EXH.74, 75 & 76

1] These are the applications filed by the counsel of the plaintiff for condonation of delay, setting aside abetment and to bring legal heirs of deceased plaintiff no.1 on record.

2] It is contended by the Learned Counsel for the plaintiff that the plaintiff no. 1 died on 20.01.2026 and as the counsel of the plaintiff could not secure the necessary documents therefore could not bring the legal heirs of deceased plaintiff no. 1 on record within statutory period. Hence, there is a delay of around 13 days in taking necessary steps. Hence, aforesaid applications have been preferred.

3] The Learned Counsel for defendant appeared but no say is filed to the applications filed by the plaintiff.

4] Upon perusal of record it is seen that the plaintiff no. 1 died on 20-01-2026. All the applications filed by the plaintiff are supported by affidavit. Also, copy of death certificate of plaintiff no. 1 is filed on record which shows that he died on 20-01-2026. The reason stated for the application for the delay is that as the applicant could not receive the necessary documents within stipulated time and could not file the application. Thus, it appears that there is sufficient cause for not preferring aforesaid applications

within stipulated period of time. Also, no any prejudice will be caused to the defendants if the applications are allowed. Rather multiplicity of the proceedings will be avoided. Hence, I hold that the applications deserves to be allowed. In the result, I pass the following order.

Order

1. Applications below Exh.74, 75 and 76 are allowed subject to costs of Rs. 1000/- to be paid to T.L.S.A., Paranda.
2. Plaintiff is directed to bring legal heirs of deceased plaintiff no.1 on record and carry out amendment accordingly within 7 days.

(Dilip G. Jagtap)
Jt. Civil Judge J.D.
Paranda.

Date : 11/08/2026

CERTIFICATE

I affirm that the contents of this P.D.F. File Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Smt. P. R. Barangule
Name of Court	Shri. Dilip G. Jagtap, Jt. C.J.J.D. and J.M.F.C., Paranda
Date of Dictation	11/08/2026
Judgment signed by the P.O. on	11/08/2026
Judgment/Order uploaded on	11/08/2026