

R.C.S.No. 398/2012

Ragnath Kashid and Ors. Vs. Baban Kashid and Ors.

CNR-MHPU09-001250-2012

ORDER PASSED BELOW APPLICATION (EXH. NO. 159)

Plaintiffs have filed an application for condonation of delay for bringing the legal representatives of plaintiff No. 1 Ragnath Dhondiba Kashid and bringing the legal representatives.

2. It is contended by plaintiffs that, plaintiff No. 1 Ragnath Dhondiba Kashid demise on 14/12/2009 and his legal representatives a. Datta Ragnath Kashid and b. Rupali@ Vandana Vilas Ambekar. These legal representatives are the necessary parties.

3. Per contra, defendant No. 10 filed his say (Exh. 167) that plaintiff No. 1 to 5 given a power of attorney to Mahesh Zumbharlal Khivasara. After the death of plaintiff No. 1 the power of attorney automatically became void. About 18 years delay caused for bringing the legal representatives on record. Hence, prayed for rejection of it.

4. Perused the application and say filed. Heard the learned advocate for both sides. There is no denial that the death of plaintiff No. 1 Ragnath Dhondiba Kashid and after his death his legal representatives a. Datta Ragnath Kashid and b. Rupali@ Vandana Vilas Ambekar survived. In support of it the

copy of death of certificate filed on record. It shows that on 14/12/2009 Ragnath Dhondiba Kashid demise. Though the delay of 18 years having caused. But considering to nature of the dispute. These legal representatives are the necessary parties. Therefore, in the interest of justice it is a fit case to allow the application subject to cost. Hence, I proceed to pass the following order :-

ORDER

1. Application is allowed subject to cost of Rs. 2000/-.
2. Remaining plaintiffs are directed to bring the legal representatives of plaintiff No. 1 on record and filed the amended copy till next

Dated : 17.06.2025.
Place : Pimpri, Pune.

(N. R. Gajbhiye)
Civil Judge Junior Division,
Pimpri, Pune.

CERTIFICATE

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

Name of the Stenographer :- Smt.B.S. Jamkhandi(Karnikar)

Name of the Court :- Shri. N. R. Gajbhiye
C.J.J.D. and J.M.F.C. Pune.

Order / Judgment Date :- 17/06/2025

Order / Judgment signed by
the Presiding Officer on :- 17/06/2025

Order uploaded on :- 19/06/2025