

Order below Exh. 101 in R.C.S.No.91/2009
Suresh Dalavi & Ors. Vs. Krushna Bhikule & Ors.
(Passed on 17/04/2025)

The present application is filed for condoning delay for bringing legal heirs on record.

02. Plaintiff No.3 had contended that, defendant No. 1 namely Krushna Annasaheb Bhikule died on 14/07/2024. It is contended that, he is a senior citizen suffering from various ailments, and due to a two-wheeler accident he was having bed rest, there was a delay in obtaining the death certificate of defendant no. 1. Therefore, there has been 160 days delay in taking defendant No. 1 heirs on record. Hence, prayed to condoned the delay.

03. The defendants have filed their say over the leaf of application and stated that, defendant No. 1 has already sold the suit property, the plaintiffs have not taken steps in the suit for a considerable period, and it appears that the plaintiffs are merely causing delay to prolong the matter. Therefore, it is prayed that the present application be dismissed with heavy costs.

04. Perused record of the case.

05. On perusal of record it shows, deceased defendant No. 1 namely Krushna Annasaheb Bhikule died on 14/07/2024. The suit is filed for permanent injunction. Therefore, it is necessary to bring legal heirs of deceased defendant No. 1 Krushna Annasaheb Bhikule on record being necessary parties. Hence, I passed the following order-

ORDER

- 1] Application **Exh.101** is allowed subject to cost of Rs. 1500/- to be paid to T.L.S.A., Bhor.
- 2] Delay for bringing legal heirs of deceased defendant No. 1 Krushna Annasaheb Bhikule is condoned.

Pune.
Date : 17-04-2025

[Smt.Meena W. Jadhav]
Jt. Civil Judge, Jr.Div., Bhor

CERTIFICATE

I affirms that the contents of this P. D. F. file order are same word for word as per original order.

Name of the Court	:- Hon'ble Smt. Meena W. Jadhav C.J.J.D. & J.M.F.C., Bhore, Pune
Name of the Steno	:- M. S. Kondhare L.G.
Date of Order	:- 17/04/2025
Signed by P.O.	:- 17/04/2025
Order uploaded on	:- 17/04/2025