



R.C.S. No. 211/2014
Jagannath Vs. Narayan
MHPU13-000912-2014

ORDER BELOW EXH. 56

1. Read application, say. Heard Mr. Agawane for defendant. The counsel for plaintiff called but absent. The case is about 10 year old. Therefore, I have gone through the record. This application is filed by the plaintiff for condonation of delay in bringing legal heirs of deceased defendant no. 1 who died on 18.05.2020. This application is filed on 14.03.2023.
2. Record perused. This is suit for declaration, injunction in respect of immovable property. In such type of application liberal view is required to be taken by the court. Technicality should not stand in the way of substantive justice. Courts exists to do justice between the parties. Everything would be decided on merits in due course of trial. Therefore, in the interest of justice and for fair trial, considering the stage of the case and considering the contents of present application this application deserves to be allowed. Hence, I pass following order:

ORDER

1. Whatever delay in bringing legal heirs of deceased defendant no. 1 is hereby condoned, subject to costs of Rs. 500/- payable to defendant nos. 1 and 2.
2. The order of abatement against defendant no. 1 is also set aside.

(Md. Taher Bilal)

Date : 02/09/2024

Civil Judge Junior Division, Saswad