

R.C.S. 166/2016

Gulab V/S Chandrakant

CNR No. MHPU13001024-2016

ORDER BELOW EXH-57

1. This application is filed by legal heirs of plaintiff for condone the delay for bringing LR's of plaintiff on record, contending that, plaintiff is died on 05/08/2017. It is necessary to bring legal heirs of litigant on record within 90 days. But, proposed plaintiff no. 1 b is ill. Plaintiff no. 1d is handicapped. Therefore, they could not bring the LR's of plaintiff on record within limitation. If delay not condoned irreparable loss would be caused to plaintiff. Praying that, the delay for bringing LR's of plaintiff on record may be condoned.
2. Defendants filed their say on application contending that, application is false. Hence, application may be rejected.
3. The death certificate of plaintiff is filed along with list exh-56.
4. Plaintiff is died on 05/08/2017. This application is made on 03/02/2018. It is necessary to bring LR's on record within 90 days from death of litigant.
5. The suit is for partition, declaration and injunction the

cause of action is survive. Hence it is necessary to hear the LR'S of late plaintiff. But proposed plaintiffs make delay of about 3 months. Considering the reason mentioned in application and for the interest of justice application deserve to be allowed.

6. Hence I pass the following order.

ORDER

1. The application is allowed subject to cost of Rs. 300/-
2. The delay in bringing the LR's of plaintiff is hereby condoned.

Saswad
Date:- 10/12/2018

(V.B.Salunke)
Civil Judge Junior Division
Saswad

CERTIFICATE

“I affirm that the contents of this P.D.F. file
Judgment are same word for word as per original Judgment.”

Name of Steno : M. D. Shirode (Stenographer)

Court Name : V.B.Salunke
Judicial Magistrate F.C,Saswad

Date : 10/12/2018

Judgment Signed by
P.O. on : 10/12/2018

Judgment Uploaded : 13/12/2018