

CNR No. MHPU1400-0269-2024



Laxman Shankar Gaikwad

Vs.

Tulsabai Shankar Nanawar

ORDER BELOW EXH.20

This is application filed by appellants for condonation of delay caused in setting aside abatement order passed against deceased appellant Nos.1 and 6.

2] Read application and reply. Heard both Ld. Advocates. Perused death certificate. It appears from contents in death certificate Exh.49 and 53 that, appellant No.1 Laxman Gaikwad expired on 30/07/2022 and appellant No.6 Akka @ Asha Ramgude expired on 16/05/2023. As pointed out by Ld.Advocate for the respondents, appellant Nos.1 and 6 are family members of other appellants. Still they failed to brought on record L.R's of deceased appellant Nos.1 and 6 within time. But, according to appellants, they are unable to get death certificates of deceased appellants within time. So, they are not able to brought on record L.R's of deceased appellants within time.

3] This reason given by appellants appears to be reasonable and sufficient. So also, other appellants are already on record. So, though appeal is impliedly abated against appellant Nos.1 and 6, it is continued with other

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appellants. In such circumstances, to avoid technical difficulties, it is necessary to condone the delay and allow appellants to bring on record L.R's of deceased appellants.

3] As pointed out by Ld.Advocate for respondent Nos.1 and 2, as appellants failed to brought on record L.R's of deceased appellant Nos.1 and 6 within time, some inconvenience has been caused to respondents, but, the same can be compensated in terms of money. On the other hand, if delay is not condoned, injustice will be caused to L.R's of deceased appellants. Therefore, I am of the opinion that, it is necessary to condone the delay. So, I proceed to pass following order :-

ORDER

- 1]** The application Exh.20 allowed.
- 2]** Delay caused in setting aside abatement order impliedly passed against appellant Nos.1 and 6 is hereby condoned subject to costs of Rs.2000/- (Two Thousand Rupees Only) to be paid to respondent Nos.1 and 2.

Date : 19/07/2025.
Baramati.

(Surekha Patil)
Adhoc District Judge-1,
Baramati, Dist.Pune.

“CERTIFICATE”

I affirm that the contents of this PDF file are same word for word as per original :-

Name of Steno : **Jagadish Narayan Kanki,**
(Stenographer Grade - I)

Court name : **Surekha R. Patil.**
Addl. Sessions Judge, Baramati

Judgment delivered on : **19/07/2025**

Judgment signed by PO on : **19/07/2025**

Judgment uploaded on : **19/07/2025.**