

MHPU180017612013



R.C.S. No. 101/2013

Vasantrao

Vs.

Namdeo & Ors.

ORDER BELOW EXH.62.

(Passed On 06/11/2025)

The present application has been filed by the legal heirs of the plaintiff, seeking condonation of the delay in bringing the legal heirs of the sole plaintiff on record. It is the contention of the legal heirs that they had no knowledge of the present suit and, therefore, could not bring themselves on record within the prescribed time, resulting in the delay. However, it is submitted that the delay was not intentional. The present application was filed in the year 2016, and the applicants, therefore, request the Court to condone the delay.

2. Conversely, the defendants have strongly opposed this application, submitting that the reasons provided are neither sufficient nor proper. The specific cause for the delay has not been mentioned in the present application. Therefore, it is contended that the present application is liable to be rejected.

3. Despite repeated calls, the parties and their Ld. Advocates are absent today. The present application was filed in the year 2016 and has been pending for a considerable period. Therefore, the application is being decided on its merits, without arguments from either side. It is evident from the records, including Exhibit 60, that the sole plaintiff in the present suit Vasantrao Dorge, passed away on 17/08/2015. The present application was filed on 20/01/2016, yet the legal heirs of the

deceased plaintiff had not been brought on record by that time. It is also noted that the reason cited by the legal heirs that they had no knowledge of the present suit is just, proper, and acceptable. The delay, therefore, cannot be the sole ground for rejecting the application. In order to provide a remedy to the legal heirs, the application is liable to be allowed. The delay is required to be condoned, and considering the period of approximately four months, a cost of Rs. 300/- is imposed to achieve the ends of justice. Thus, I pass the following order.

ORDER

- 1) The application below Exhibit 62 is hereby allowed, subject to the payment of a costs of Rs. 300/- to the contesting defendant on or before the next date.
- 2) Upon compliance with the payment of the cost, the application is allowed, and the delay in bringing the legal heirs on record is condoned.
- 3) Both parties are directed to take note of this order.

Daund.
Dt. 06/11/2025.

(A. S. Shaikh)
4th Jt. Civil Judge (Jr.Dn.),
Daund.

CERTIFICATE

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

Name of the Steno	:- Deepak A. Merukar, Grade-3
Court / Panel	:- A. S. Shaikh 4 th Jt. C.J.J.D. & Judicial Magistrate First Class (Court No. 4) Daund.
Order / Judgment date	:- 06/11/2025.
Order / Judgment singed by	:- 06/11/2025.
the Presiding Officer on	
Order/ Judgment uploaded on	:- 06/11/2025.