

MHRG140000092022



R.C.S. No. 3/2022

Order below Exh. 60

This is an application for condonation of delay.

2. The defendant no. 17 Chandrabhaga and defendant no. 20 Ramchandra are no more as per Bailiff report dated 21.01.2022. Due to lack of knowledge, their legal heirs could not be brought on record. There is delay of 90 days.

3. Despite of sufficient opportunities defendants have failed to file their say.

4. Perused the application and record. It is seen that defendants no. 17 and 20 were died before institution of the suit. It is seen that fact of their death was known due to report of summons. However, considering reasons, opportunity needs to be given to the plaintiff in the interest of justice and for the just decision of the case on merits. However, delay needs to be compensated. Hence, the application is allowed. The abatement is set aside subject to costs of Rs. 500/- which shall be paid to the Legal Aid, Uran.

Uran,
Date : 30.06.2023

(Vikas D. Bade)
Civil Judge, J.D., Uran