

Regular Civil Appeal No. 30/2022
CNR No. MHRT010005392022

Gangarm Shripat Pawar

Appellant

Vs.

Atmaram Sitaram Shinde

Respondents.

Order below Exh. 27

1. This is an application filed by the power of attorney of appellants for condoning delay for bringing legal heirs on record of appellant no.1 Shri. Gangaram Shripat Pawar.

2. The the power of attorney of appellants submitted that the appellant died on 22/12/2024. It is further submitted the power of attorney of appellant that delay is caused for obtaining death certificate from the concerned authority. As such, there has been delay for filing an application for bringing legal heirs on record of appellant no.1. Therefore, it is necessary to condone the delay. It is further submitted that the delay caused is not intentional or deliberate. The present application is supported with the affidavit of the power of attorney of appellant. It is prayed to allow the application.

3. The respondents strongly resisted the application by filing their say at the application itself and submitted that the present application is not tenable. Appellant has not given specific reasons in the application for causing delay for bringing legal heirs on record of appellant no.1. Therefore, the application is liable to be rejected.

4. On perusal of application and other record of the case, there appears substance in this application. The record shows that appellant died on 22/12/2024. The date of copy of death certificate is 31/01/2025. Admittedly, there is delay in bringing the legal heirs on record. The appellant has mentioned the reasons for delay in bringing the legal heirs on record. The court has to adopt liberal approach while deciding the application for condonation of delay. In my view for avoiding multiplicity of the proceeding the application needs to be allowed. Hence, the following order.

ORDER

1. Application Exh. 27 is allowed.
2. The delay caused for bringing legal heirs on record of appellant no.1 Gangaram Shripat Pawar is hereby condoned.
3. Concerned to take note.

Date : 24.06.2025.

(A. M. Ambalkar)
District Judge- 1, Ratnagiri.

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

Case Number		Reg. Civil Appeal No.30/2022
Name of Stenographer	:-	Mr. Rajesh G. Rahate
Name of Court	:-	District Court-1 Ratnagiri.
Date of Dictation	:-	24.06.2025
Order signed by the P.O. on	:-	24.06.2025
Order uploaded on	:-	25.06.2025

