

CNR NO.MHRT04-000343-2019

ORDER BELOW EXH. 12 IN REGULAR CIVIL
APPEAL NO. 27 OF 2019

Archana Amburle

Appellant

Versus

Aparna Dudham

Respondent

1. Through this application the applicants are seeking condonation of delay in filing the application to bring LR's of deceased appellant on record. The application is resisted by the respondent.

2. Heard learned Advocates for both sides.

3. In the present appeal the original appellant has died on 28.07.2019. But, her LR's has not brought on record within contemplated period. There is 16 days delay in filing the application to bring the LR's of deceased appellant on record. The reasons for delay that both daughters residing at their matrimonial home respectively after the marriage, some sustained a shock due to sudden death of appellant mother and husband of deceased appellant is physically and mentally ill. The reason given, is supported by affidavit. The reason given appears to be cogent and probable. I do not find any deliberate delay and inaction. On the other hand, appellants are very much interested to proceed with the appeal. In my considered view, it will be just and proper to condone the delay in filing the application to bring LR's of deceased appellant, so as to adjudicate the dispute instead of throwing the same for some technical difficulties. Hence, the order.

ORDER

1. The application is allowed.

2. The delay caused in filing the application to bring the LR's of deceased appellant on record stands condoned.

Khed.

(D. L. Nikam)

Date :- 08.01.2020

District Judge -2, Khed,
Tal. Khed, Dist. Ratnagiri.

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

Name of the Grade II Stenographer (On deputation)	Mr.Sandeep S. Patil
Name of the Court	Mr. D. L. Nikam District Judge-2, Khed, Dist.R'giri.
Date of Pronouncement	08.01.2020
Judgment Signed On	08.01.2020
Judgment Uploaded On	08.01.2020