

R.C.S. No.114/2021
Chandrakant Vs Hausabai & Ors.

COMMON ORDER BELOW EXH. 18 AND 19

(Passed on dated 07-07-2022)

1. These are the applications filed by plaintiff for setting aside abatement and bringing legal representative (LR's) of deceased defendant no.1.

2. It is contended that, defendant no. 1 Hausabai Bapurao More has been died on during pendency of the suit. In the meantime, the plaintiff could not taken LR's of deceased defendant no.1 on the record and there is delay due to COVID-19 situation.

3. Defendant no. 2 has given say contending that, there is no proper explanation given by the plaintiff for delay. Hence, prayed to reject the application and if the Court allows the application cost in the tune of Rs. 3,000/- be imposed.

4. I have considered the contentions made in the application and say. The defendant no. 1 died on 13/11/2021. The suit is for declaration and injunction therefore, the right to sue survives. The applicant has contended about the delay and reason for delay has also been mentioned. It is necessary to bring legal representative on record in the interest of justice and application deserves to be allowed subject to reasonable costs. Hence, I proceeded to the pass following order.

ORDER

1] *Applications are allowed subject to costs of Rs.1,000/-*

(One Thousand only).

2] *Plaintiffs is directed to bring legal representative on record as prayed.*

Place: Sangli
Date: 07-07-2022

(**Shri. V. V. PATIL**)
2nd Jt. Civil Judge (Jr. Dn.),
Sangli.

C E R T I F I C A T E

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 Jr. Clerk	: <i>Shri. C. M. Buchade</i>
Court	: 2 Nd Jt. Civil Judge Jr. Dn., & Judicial Magistrate F.C., Sangli.
Date of order	: 07.07.2022
Signed by the Presiding Officer on	: 07.07.2022
Order Uploaded on	: 08.07.2022