

**CNRMHSN040000462013**

**Reg. Civil Appeal No.6/2013**  
**Chhabutai Ramchandra Shingare & ors.**

**Vs.**

**Babutai Mahadev Gajare & ors.**

**ORDER BELOW EXH. 16**

1. Perused the application, affidavit of appellant No. 3 Ramchandra Sadashiv Shingare and say of respondents. They have strongly resisted the application by filing say overleaf the application. Heard learned advocates of both the parties.

2] Appellants have filed this application to bring legal representatives of respondent No. 6 Malti Shankar Kshirsagar on record. On perusal of record it appears that appellants have made application for substitution of L.R.s. of deceased respondent No. 6 after expiry of period specified therefor in the Limitation Act. In view of order (exh.14) dated 01/04/2022 the application for condonation of delay and for setting aside the abatement is allowed. The reasons mentioned in the application for delay in bringing the L.R.s of the respondent No. 6 appears to be true and genuine. Therefore in the peculiar circumstances of the case, it is necessary to make L.R.s of respondent No. 6 as party. Appellants have shown sufficient cause for not bringing L.Rs.of respondent No. 6 within the period specified in the Limitation Act.

3] Taking into consideration the circumstances of the case and above reasons, it appears to be just and proper to allow the application. Therefore, the application deserve to be allowed in the interest of justice. Hence, following order is passed.

## **ORDER**

- 1] The application is allowed.
- 2] Appellants to carry out amendment in appeal within 14 days from the date of this order.

Date : 01/04/2022

( Rajshri P. Pardeshi )  
District Judge 2, Islampur.

## **CERTIFICATE**

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

Name of the Stenographer : Shri B.M.Patil, steno, Gr.I

Court Name : Dist. Judge – 2 & Addl. Sessions  
Judge, Islampur.

Date : 01/04/2022

Signed by P.O. on : 01/04/2022

Uploaded on : 04/04/2022