

CNRMHSN040000462013

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

Vs.

Babutai Mahadev Gajare & ors.

ORDER BELOW EXH. 27

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-B Anusaya Chndrakant Lokhande on record. On perusal of record it appears that appellants have made application for substitution of L.R.s. of deceased respondent No. 6-B after expiry of period specified therefor in the Limitation Act. In view of order (exh.25) dated 24/10/2016 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-B 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-B as party. Appellants have shown sufficient cause for not bringing L.Rs.of respondent No. 6-B 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.

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

Date : 01/04/2022

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