

ORDER BELOW EXH. 198 IN R.C.S.NO. 365/2000
(Raghunath Jadhav and others Vs. Bhimrao Kamble and others)
CNR No.MHSN05-000116-2000

Present application is filed by the plaintiffs for condoning the delay caused in bringing the legal heir's of deceased plaintiff no. 4 on record.

2. Proposed LR's deceased plaintiff no. 4 appeared in the proceeding and filed common say at Exh. 197 stating that, they have no objection to grant the application.

3. Defendant no. 29 (a) to 29 (c) filed their common say at Exh. 197 stating that, they have no objection to bring on record legal heirs of deceased plaintiff no. 4.

4. Despite sufficient opportunity, defendant no. 17 (a) did not file her say on the application. Hence, I am deciding this application without say of defendant no. 17 (a) and on merits.

5. According to plaintiffs, after demise of plaintiff no. 4, due to Covid-19 pandemic and due to Lok-down, it was impossible for the plaintiffs to bring on record LR's of deceased plaintiff no. 4. Hence, according to plaintiffs, delay was caused in bringing the legal heirs on record.

6. Read the application and say. Hard both sides. On perusal of death extract of deceased plaintiff no. 4 namely Ramchandra Nana Chavan at Exh. 204/1, it reveals that, plaintiff no. 4 died on 20.04.2021. Present application is filed on record on 21.03.2022. Therefore, there is delay of 11 months for bringing the legal heir's on record. No doubt, during the year 2021, there was Covid-19 pandemic situation all over the Maharashtra. Considering all fact, I am of the view that, in order to adjudicate the matter on

merits and in order to resolve on controversies between the parties and after taking in to consideration cause of delay, it is just and proper to condone the delay without imposing any cost. In result, I pass the following order:-

ORDER

1. Application is allowed.
2. Delay caused in bringing legal heir's of deceased plaintiff no. 4 is condoned.

Islampur.
Date : 02.05.2022

(G.S.Diwan)
3rdJt.C. J. J. D, Islampur.

CERTIFICATE

I affirm that the contents of this Pdf file order is same word as per original order.

Name of Stenographer	:- Shri. M. S. Gondkar
Court Name	:- G. S. Diwan 3 rd Jt. Civil Judge (J.D) and J.M.F.C., Islampur.
Date of decision	:- 02.05.2022
Order signed by PO on	:- 02.05.2022
Order uploaded on	:- 02.05.2022