

ORDER BELOW EXH. 201 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 defendant no. 21 on record.

2. Notice was issued to the proposed LR's deceased defendant no. 21. On perusal of bailiff report Exh. 206 and Exh. 207 it reveals that, notice duly served on proposed LR's of defendant no. 21. Despite service of notice, they failed to attend before the court. Hence, I am deciding this application on merits.

3. According to plaintiffs, after demise of defendant no. 21, due to Covid-19 pandemic and due to Lok-down, it was impossible for the plaintiffs to bring on record LR's of deceased defendant no. 21. Hence, according to plaintiffs, delay was caused in bringing the legal heirs on record.

4. Read the application and say. Hard both sides. On perusal of death extract of deceased defendant no. 21 namely Hindurao Khandu Chavan at Exh. 204/2, it reveals that, defendant no. 21 died on 12.07.2021. Present application is filed on record on 21.03.2022. Therefore, there is delay of 8 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 defendant no. 21 is condoned.

Islampur.

Date : 02.05.2022

(G.S.Diwan)

3<sup>rd</sup>Jt.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 <sup>rd</sup> 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