

Order below Exh. in RCS 25/2013
Mahadevappa Sankh Vs Sunil Sankh
(CNR-MHSN08-000065-2013)

The application is for condonation of delay and since the proposed L.Rs of the deceased plaintiff 1 is on the record for necessary amendment.

2 The application is proceeded without say of the said site.

3 The application proceed without arguments of both the parties. The suit is of 2013. The application is technical in nature, despite sufficient and reasonable opportunities, neither say has been filed nor it has been disputed. The relations inter-se is a matter of fact and record vis-a-vis the pleadings of the parties. The death certificate of the deceased is below Exh.61. The suit is for partition. If, ultimately the suit is decreed, it may affect the shares, hence it deserves to be allowed. In the peculiar facts no order as to costs. Hence, the following

Order

The application is allowed.

2 The delay of 21 days is condoned, the plaintiff to carry out the proposed amendment and file on record duly amended copy on the record.

Jath

(Sanjay P.Bunde)

Date:25/11/2024

Jt.C.J.J.D,Jath