

:-Order below Exh.83 in RCS No.143/2017:-

01. Perused application filed by the Plaintiff for condonation of delay in bringing the legal representatives of deceased Defendant No.1 Vasant Narayan Mahadik on record and say filed by the defendants overleaf Exh.83, as well as say filed by proposed legal representatives of defendant no.1 at Exh.87.

02. On perusal of present application and copy of death certificate of Defendant no.1 produced at Exh.76/1 as well as pursis vide Exh.75, it is clear that the date of death of Defendant no.1 is 05/08/2024. However, present application is filed on 21/03/2025. Therefore, present application is filed after 90 days from the date of death of Defendant no.1.

03. The application is supported by an affidavit of the Plaintiff stating the reasons for delay in bringing the legal representatives of deceased Defendant no.1 on record. Present suit is for partition, separate possession, injunction and declaration. Hence, right to sue survives against legal representatives of deceased Defendant no.1.

04. In order to adjudicate the present case effectively, it is necessary to allow present application for condonation of delay in bringing the legal representatives of deceased Defendant no.1 on record. Hence, I pass following order-

The application at Exh.83 is allowed subject to costs of Rs.200/- to be credited to the government and delay in bringing the legal representatives of deceased Defendant no.1 on record stands condoned on payment of costs.

Place: Kadegaon

Date: 09/12/2025

**(Smt.Madhavi R. Patkar)
CJJD Kadegaon**