

ORDER BELOW EXH. 71

IN

R.C.S.No.05 of 2009

(CNR No.MHSO06-0000782009)

(IA/01/2022)

1. This is an application for delay condonation.
2. Perused the application and say on it.
3. Heard learned advocates for the parties.
4. It is submitted by the application that defendant No.1 has died on 20.01.2019. It has come on the record after Bailiff report, in the year 2020. The plaintiff being a Bhikshuk, he could not meet his advocate in mean time. So also, time has wasted during Covid pandemic. Currently, he came to know about the legal heirs of deceased defendant No.1. So, those legal heirs be taken on the record by condoning the delay.
5. The application is challenged as false and filed belatedly. The reason stated in the application is false. It is intentionally filed to prolong the matter.
6. The application is supported by an affidavit. The fact that the defendant No.1 has died is not disputed. Since March 2020, the Covid pandemic has affected regular working of Courts. Considering alleged profession of the plaintiff and Covid pandemic period, the delay should be condoned. There is no prejudice to the defendants if delay is condoned subject to costs. Hence, following order is passed.

ORDER

Application is allowed subject to costs of Rs.500/- (Rs.Five hundred only) to defendants.

Sd/-

Pandharpur
Date:-12.01.2022

(M.R.Jadhav)
Civil Judge Senior Division,
Pandharpur

CERTIFICATE

I affirm that, the contents of the this P.D.F file Order/Judgment are same word to word, as per the original order/ judgment

Name of Stenographer : B.R.Kondekar
Court Name : Civil Court Senior Division, Pandharpur
Date 12-01-2022

Order/Judgment signed
by the Presiding Officer on : 12-01-2022

Order uploaded on : 12-01-2022