

ORDER BELOW EXH. 127
(Date 26/06/2025)

Plaintiff No. 1 has filed the present application for condonation of delay and permission for bringing Lrs. of deceased plaintiff No. 3 Ganpat Dhondi Magar on record.

[2] Read application and say filed by the defendant. Heard both the sides at considerable length. Perused the record. The plaintiff has submitted that, plaintiff No. 3 Ganpat Dhondi Magar passed away on 24/03/2024. Thereafter due to plaintiff No. 1 old man and his leg fractured, there is quit delay for substitution of legal heirs within stipulated period. Accordingly, he prayed that legal heirs of deceased plaintiff No. 3 be added as legal heirs.

[3] As the suit is for partition and possession and in view of reasons, it is necessary to condone the delay, to avoid multiplicity of proceeding and to decide rights of all the parties in the same suit, it would be just and proper to add others Lr's of deceased plaintiff No. 3 on record.

[4] Hence, considering above facts and circumstances and to avoid multiplicity of proceeding, it is necessary to allow the plaintiff to add remaining legal heirs of deceased plaintiff No. 3 on record. As far as question of delay is concerned, it can be compensated by awarding costs to defendants. Hence, the following order :

ORDER

[1] Application at Exh.127 is allowed.

- [2] The delay caused to file application for bringing legal heirs on record is condoned subject to costs of Rs. 200/- (Rs. Two Hundred only).

Date : 26/06/2025

(Aaditya A. Vyas)
2nd Jt.Civil Judge Jr. Div.,
Malshiras.

C E R T I F I C A T E

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/order :-

- (a) Name of the Stenographer :- S. T. Korbu
- (b) Court :- 2nd Jt. Civil Judge Junior Division
& Judicial Magistrate First Class,
Malshiras.
- (c) Judgment/Order signed
by PO on :- 26/06/2025.
- (d) Judgment/Order uploaded
on :- 26/06/2025