

ORDER BELOW EXH.117

This is an application by plaintiff for condonation of delay occurred in filing an application for bringing legal representatives of deceased defendant no. 20 on record and for setting aside of deemed abatement of suit. It is contended that the defendant no. 20 died on 25/03/2019. But, the plaintiff could not get knowledge of the same within 90 day's. It is contented that he has received the information recently. Defendants opposed the application vide say at Exh. 123 on the count that the delay is intentional. Record shows that the suit is for declaration, partition and perpetual injunction. Right to immovable property is involved. There is no presumption that the delay is intentional. Inconvenience caused to the other side can be compensated by imposing costs on the plaintiff. Hence, application is allowed subject to costs of Rs. 1200/-. The delay occurred in filing the application for bringing LR's of deceased defendant no. 20 is condoned and deemed abatement of the suit is set aside.

Date :- 08/04/2025

(Y.S.Akhare)
Jt. Civil Judge Junior Division,
Madha.

CERTIFICATE

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

Name of Stenographer	:	Shri.P.S.Pawar, Grade- 3
Court Name	:	Jt.Civil Judge Jr.Division, Madha.
Order/Judgment signed by the Presiding Officer on	:	08/04/2025
Order/Judgment uploaded on	:	09/04/2025