

C.N.R. No. MHSO190010352013

ORDER BELOW EXH.- 46

(Passed On 27th March 2023)

This is an application filed by LR's of deceased plaintiff for condonation of delay caused in bringing LR's of deceased plaintiff on record.

2. Perused application and say. Heard learned advocates for respective parties. Learned Advocate for LR's of deceased plaintiff has submitted that plaintiff has filed present suit for perpetual injunction. During the pendency of suit, the plaintiff Lahu Rama Maske has died on 01/09/2022.

3. Learned advocate for LR's of deceased plaintiff has further submitted that due to accidental death of plaintiff, LR's of deceased plaintiff were in shock, hence, LR's of deceased plaintiff could not bring the LR's of deceased plaintiff within time. Now, LR's of deceased plaintiff want to bring the LR's of deceased plaintiff on record. Considering the nature of the suit, it is necessary to bring the LR's of deceased plaintiff on record by condoning delay. Hence, learned advocate for plaintiff prayed for grant of this application.

4. On the contrary, learned advocate for defendant has strongly objected this application on the ground that the application and its contents are false. Hence, learned advocate for defendant has prayed for rejection of this application.

5. I have perused record. The suit is for perpetual injunction. Delay is caused in filing present application which is not intentional on the part of LR's of deceased plaintiff. Considering the nature of the suit, it is necessary to bring the LR's of deceased plaintiff on record. So it is necessary to bring the legal representatives of the deceased plaintiff by condoning said delay. Thus, I think it just and proper to allow this application. Hence, following order is passed.

ORDER

- 1) Present application is allowed subject to costs of Rs. 200/- to be paid by LR's of plaintiff to the defendant.
- 2) The delay caused in bringing the LR's of deceased plaintiff on record is condoned.

Date : 27/03/2023

(S. W. Thombre)
Civil Judge Junior Division,
Mohol.

CERTIFICATE

I affirm that the contents of this PDF file Order /Judgment are same word to word, as per the original Order /Judgment.

Name of Stenographer	:	S. K. Torane
Court	:	Civil Judge Junior Division and Judicial Magistrate First Class, Mohol.
Date	:	27-03-2023
Judgment /order signed by the Presiding Officer on	:	27-03-2023
Judgment /order uploaded on	:	28-03-2023