

ORDER BELOW EXH. 36 IN R.C.A. NO. 230/2017
(CNR.NO.MHST01002187-2017)

(Pushpa Bobade & Ors. Vs. Baban Pawar & Ors.)

This is an application filed by appellants for condonation of delay for bringing legal representatives of respondent No. 3 Dattatray Shankar Pawar on record.

2] It is contended that, on 18/10/2020 respondent No. 3 Dattatray Shankar Pawar died. Thereafter, their Ld. Advocate J. L. Parte died. It is further contended that it was necessary to bring on record legal representatives of respondent No. 3 within 90 days from his death however, there was pandemic situation of COVID-19, therefore, there is delay of 11 months and 25 days for bringing his legal representatives on record. Hence, they prayed to condone the delay.

3] Respondents filed say and strongly opposed to this application contending that reasons mentioned in the application is not justifiable. Therefore, they prayed to reject this application.

4] Heard learned counsel for appellants and respondents. Perused record.

5] It appears that, application has been filed on 12/01/2022. Appellants stated that respondent No. 3 Dattatray Shankar Pawar died on 18/10/2020. They have filed death certificate of respondent No. 3 vide Exh. 43/1. It shows that delay caused to file application for bringing legal representatives on record. However, reasons mentioned in the application are found justifiable. Hence, I proceed to pass the following order.

ORDER

- 1] Application is allowed.
- 2] Delay is condoned.
- 3] No order as to cost.

Date : 15/02/2023

(R. K. Rajebhosale)
Ad-hoc District Judge-3
Satara