

ORDER BELOW EXH. 32 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 bringing legal representatives of respondent No. 2 Vivek Shankar Pawar on record and for amendment.

2] It is contended that, on 06/10/2019 respondent No. 2 Vivek Shankar Pawar died. Thereafter, their Ld. Advocate J. L. Parte died. It is further contended that respondent No. 2 has legal representatives as mentioned in the application. It is necessary to bring them on record.

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. 2 Vivek Shankar Pawar died on 06/10/2019. They have filed death certificate of respondent No. 2 vide Exh. 35/1. It shows that

delay caused to file application for bringing legal representatives on record. However, reasons mentioned in the application are found justifiable. Moreover, delay is condoned by passing order below Exh. 28 and abatement is set aside by passing order below Exh. 30. Hence, I proceed to pass the following order.

ORDER

- 1] Application is allowed.
- 2] Appellants shall make necessary amendment in the appeal memo within statutory period.
- 3] No order as to cost.

Date : 15/02/2023

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