



COMMON ORDER BELOW EXH.19, EXH.20 AND EXH.21

These applications are filed by the plaintiff for condonation of delay in bringing legal representatives of deceased defendant no.5, for setting aside abatement and for bringing legal representatives of deceased defendant no.5. Perused applications and say filed by defendants. Heard both learned counsels at length.

2. It appears that deceased defendant no.5 namely Ashok Govind Bhujbal expired. However, his death certificate is not placed on record by the plaintiff. No sufficient reasons are mentioned in the applications. However, for deciding real controversy between parties it is necessary to bring legal representatives of the deceased defendant no.5 as defendants have not disputed his death. It is pertinent to note that the right to sue survives against legal representatives of deceased defendant no.5. Moreover, for the delay caused in moving the instant applications, appropriate costs can be imposed. Consequently, I proceed to pass following order.

ORDER

1. Applications (Exh.19, Exh.20 and Exh.21) stand allowed subject to costs of Rs.1000/-.
2. The plaintiff is directed to carry out necessary amendment in the plaint on or before next date.
3. The plaintiff is further directed to supply amended copy of the plaint on record and further directed to supply the same to defendants.

Place : Dahiwadi.
Date : 02/05/2023

(R. D. Bhuyarkar)
Jt. CJJD