

MHST070000381996



Order Below Exh. 182 in R.C.S. 438/1996
(Dattatray Vithoba Kharade Vs. Shivaji Baburao Salunkhe)

1. This application is filed by legal representatives of deceased defendant No. 2 for condonation of delay of 7 days. It is contended that, the defendant No. 2 died on 13/12/2024. Legal Representative of deceased defendant No. 2 and he is necessary party. Some time was consumed in bringing necessary documents and therefore, legal representative of deceased defendant No. 2 could not file application for bringing him on record within limitation and delay is caused which needs to be condoned. Therefore, applicant prayed to allow the application.

2. Other side objected the application by filing say. It is contended that, reason mentioned in the application is not just and proper. Therefore, other side prayed to reject the application.

3. Heard both sides.

4. Perused the record. It is contention of the applicant that, the defendant No. 2 died on 13/12/2024. It is the

contention of the applicant that, some time was consumed in bringing necessary documents and therefore, the applicant could not file application for bringing them on record within limitation and delay is caused. Therefore, considering the reason there is sufficient cause for condonation of delay. Hence, in the interest of justice, application deserves to be allowed. In the result, I pass the following order.

ORDER

1. The applications at Exh. 182 is allowed.
2. Delay in bringing legal representatives of deceased defendant No. 2 on record is condoned.

Date : 31/07/2025.

(Prashant P. Kulkarni)
4th Jt. Civil Judge Junior Division,
Karad.