



COMMON ORDER BELOW EXH.316, EXH.318 AND EXH.320

These applications are filed by the plaintiff for condonation of delay in bringing legal representatives of deceased defendant no.46, for setting aside abatement and for bringing legal representatives of deceased defendant no.46. Perused applications and say filed by defendants. Heard both learned counsels at length.

2. It appears that deceased defendant no.46 namely Balkrishna Bhiku Jadhav expired on 03.04.2020. However, for deciding real controversy between parties it is necessary to bring legal representatives of deceased defendant no.46. It is pertinent to note that the right to sue survives against legal representatives of deceased defendant no.46. 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.316, Exh.318 and Exh.320) stand allowed subject to costs of Rs.500/-.
2. Plaintiffs are directed to carry out necessary amendment in the plaint on or before next date.
3. Plaintiffs are further directed to supply amended copy of the plaint on record and further directed to supply the same to defendants.

Place : Koregaon
Date : 09/01/2024

(Smt. U. A. Bhosale)
2nd Jt. Civil Judge Jr. Dn.
Koregaon