

R. C. S 10/2019.

विठ्ठल विलासनाकर

-वि.-

अजान विलासनाकर.

मि. ३. 23.

○

Perused application
and say thereon.

Heard. It is seen
that def. no. 1 was
died on 31.12.23 and
delay condonation
application has been
allowed by imposing
cost. It is seen
that in present case
matter is dispute
is an immovable
property. Thus, LR
of deceased def. no. 01
have their interest
in that property.
Thus, right to sue
is survived on legal
heirs of deceased

○

def. no. 01. Hence,
Considering aforesaid
reasons, I pass
following order.

Order

- 1) Application is
allowed subject
to cost of Rs. 300/-
payable to defendant.
- 2) Permission is
granted to take
legal heirs of
deceased def. no. 01
on record within
three weeks from
date of order.
- 3) Plaintiff is directed
to do necessary
amendment in plaint
in that regard.

13/12/23
imre

R. C S 10/2019.

विठ्ठल विलायतकर

— वि. —

अजाब विलायतकर

मि. ५-२४.

D

Perused application
and say thereon.

Heard, both side.

It is seen that
defendant no. 01 was
died on 31.12.23

and this application
has filed on 11.07.25
Admittedly delay of more
than 1 and half year
has done. However,

it is stated that plaintiff
were unaware about
death of def. no. 01

as well as ~~de~~ proposed
CRs have also not
stated in their
reply

D

that they ~~totd~~ inform
plaintiff about death
of def. no. 01 or ~~they~~
~~were~~ was present at
the funeral of def. no. 01.

Thus, I find that
the reason stated
by plaintiff for
condonation of delay
is reasonable.

Thus, Considering
aforesaid reason,
I pass following order
order

- 1) Application is allowed.
Subject to cost of Rs. 500/-
payable to defendant.
- 2) Order of abatement
against def. no. 1 is set
aside and delay for
taking LR on record
is condoned. 18.12.25