

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE, WASHIM.**

**Order Below Exh. 58**

(Dtd. 22/04/2025)

The present application preferred by applicant for condonation of 74 days delay in bringing LR's of respondent No.9 Tulsabai Gangadhar Pendharkar on record on the ground that the delay condonation was not preferred along with application for bringing LR's on record, due to inadvertently. So also, the delay is not caused intentionally in preferring application for bringing LR's of respondent No.9 Tulsabai on record.

2] The contesting respondent No.1 strongly objected the application on the ground that the reason mentioned for delay in bringing LR's on record is not sufficient, the case is old one and if the Court allow the application, then heavy costs to be imposed on the appellant. The other respondent given a say that application may be granted.

3] Heard Adv. Mr. A. S. Beriya for for appellant and Adv. Mr. K. P. Belokar for contesting respondent No.1.

4] On perusal of record of the case, it is observed that respondent No.9 Tulsabai expired on 31/07/2016 and application for bringing LR's of respondent No.9 Tulsabai on record was filed on 13/02/2017, which is admitted facts by both sides. In fact, the said application required to be filed on or before 31/10/2016 and the present application was preferred on 13/02/2017. In the present case, there is delay of at least 103 days. The other respondents filed their say and expected the order should be passed suggesting there is no substantive objection to the present application from the side of the said

respondent. The respondent No.1 objected the application on the ground that the delay is not properly explained and case is old one. Therefore, the application is to be rejected. The respondent also came with a further case that if delay is going to be condoned and it should be condoned by imposing costs.

5] As there is delay of 103 days in preferring the application for bringing LRs of the deceased Tulsabai Gangadhar Pendharkar on record, then costs of Rs.2,000/- required to be imposed on the appellant and payable to the contesting the respondent No.1, in the interest of justice. Hence, the order :-

**ORDER**

- 1) The delay condonation application at Exh.58 is hereby allowed, subject to cost of Rs.2,000/- (Rs. Two thousand only) to be paid to respondent No.1 by the appellant.
- 2) The application of bringing LRs of the deceased/respondent No.9 Tulsabai Gangadhar Pendharkar be taken on record and production of costs received by respondent No.1 on depositing costs of Rs.2,000/- in the Court by the appellant.
- 3) Accordingly, the application is disposed of.

Place : Washim.  
Date : 22/04/2025.

**(S. V. Hande)**  
Principal District Judge,  
Washim.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file Judgment/ Order are same word to word, as per the original judgment/order.

Name of Stenographer :- A. W. Ajmire, Stenographer (Grade-II)

Name of Court :- Principal District & Sessions Judge,  
Washim, Tq. Dist. Washim.

Date of Judgment/ Order :- 22/04/2025

Judgment/Order signed by :- 23/04/2025  
the Presiding Officer on

Judgment/Order uploaded on :- 24/04/2025