

R.C.S. No.07/2017

Parewale ..Vs.. Nanda Garve

CNR No.MHWS07000150-2017

**ORDER BELOW EXH-47**

Perused the present application filed by the plaintiff for condonation of delay to bring the heirs of the plaintiff on record. By way of this application, it is contended that there is some delay in bringing LRs on record. Thus, prayed for condonation of the said delay.

2. The say of the defendants was invited but no say is filed till today.

3. Heard the plaintiff. It is submitted that the Plaintiff died on 3.08.2020 and the Hon'ble Supreme Court directed in sue-moto Write Petition No.3/2020 to exclude the time till during lock-down from down15/03/2020 to 02/10/2021 while calculating the period of limitation. Therefore, application may be allowed.

4. Perused the application. No doubt that his application is filed after the prescribed period of limitation for bringing the LRs of the deceased plaintiff. But the same is filed after the period prescribed by the Hon'ble Supreme Court. The said exemption was granted by the Hon'ble Supreme Court only for the period 15/03/2020 to 02/10/2021. This application is filed on 15/9/2022.

5. As it is a settled law that, the delay shall be generally and

liberally allowed. Therefore, considering the date of the death of the applicant which is during the lock down, the application is allowed and the delay is condoned on payment of cost Rs. 200/- to the Advocate Bar Association, Karanja.

### **Order**

1. The application is allowed.
2. Delay is condoned on payment of Cost Rs.200/- to the Advocate Bar Association, Karanja Lad

Date : 20/09/2022 Karanja Lad		Sd/- ( Smt. S.N.Pund) 2 <sup>nd</sup> Jt.Civil Judge (Jr.Dn.), Karanja Lad
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CERTIFICATE

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

Name of Stenographer	:	Manoj T. Kelatkar, Jr. Clerk
Court Name	:	2 <sup>nd</sup> Jt. Civil Judge (JD) & JMFC, Karanja.
Date	:	20-09-2022
Order signed by the Presiding Officer on	:	20-09-2022
Order uploaded on	:	20-09-2022