

**IN THE COURT OF ADHOC DISTRICT JUDGE-1, YAVATMAL.**

**R.C.A. No.40/2015**  
**Kavindra ..vs.. Kailash + 4.**  
**CNR NO.MHYA010004562015.**

**Order passed below Exh. 14.**  
*(Passed on 16<sup>th</sup> July 2022)*

The application is for seeking permission to condone delay in compliance of order below Exh.6.

2. The abridge contention of the appellant is that he had moved application Exh.6 seeking alteration in the name of respondent No.4 and deletion of name of respondent No.5. The said application had been allowed. However, thereafter an adverse incident had occurred in the life of appellant which caused him mental trauma. He could not contact his counsel which led to his continuous absence. Only recently when he got in touch with his counsel he learnt about application Exh.6 having been allowed. Hence, this application for relief laid above.

3. Filing of application Exh.6 and the same being allowed is a matter of record. The appellant has expressed mental trauma to be the reason why he could not carryout the amendment within stipulated time. His reason has not been counteracted by the respondents side. Permitting him to carryout the amendment will facilitate decision on merit. It will not cause prejudice to respondents who can still contest the

appeal if so desire. Hence, the application is liable to be countenanced. At the same time the delay needs to be deprecated. Hence, costs needs to be imposed. Hence, I ordain as follows.

**ORDER**

1. Application Exh.14 is allowed subject to costs of Rs.200/- credited to legal aid.
2. Amendment be carried out within stipulated time from the date of this order.

Place:Yavatmal.  
Date: 16.07.2022

**(S.R. Sharma)**  
Adhoc District Judge-1,  
Yavatmal.