

R. C.S. No. 42/2020
Bhimrao Vs. State and Others.

ORDER BELOW EXH.45

(passed on 08/09/2023)

- . Read the application and say. Heard both the sides.
2. The present application is filed by the plaintiffs to condone the delay in taking legal heirs of deceased plaintiff no.2 namely Keshav Zibal Gede on record.
3. The other side has disputed the application on the point of long delay and the suit is abated against the plaintiff no.2, as his legal heirs are not taken on record within 60 days from the date of his death.
4. I have considered the rival submissions. There is no speaking order about abatement of suit pertaining to the plaintiff no.2. The delay is satisfactorily explained, as non availability of death certificate of the deceased. Hence, considering the nature of proceedings and submissions on record, the application is allowed. The delay is condoned. The costs of Rs.500/- be paid by the plaintiffs to the contesting defendants.

Date : 08/09/2023
Darwha, Dist. Yavatmal.

(Devendra B. Patange)
2nd Jt. Civil Judge (Sr. Div.) Darwha.