



Order below Exh.22
(Passed on 04/03/2025)

01. The present application is filed by the plaintiffs for condonation of delay in taking L.Rs of deceased defendant No.7 namely Parbata Pidurkar on record.

02. Perused the application. The plaintiffs contended that, on 12.10.2022 defendant No.7 Parbata Pidurkar is died. However, due to the legal illiteracy, the plaintiffs have not filed the application to bring on record legal heirs of deceased defendant No.7 within limitation period. Therefore, there is a delay in bringing Lrs of deceased defendant No.7 on record. The said delay needs to be condoned. Therefore, they prayed to allow the application.

03. The defendants failed to file reply. Heard learned advocate for the plaintiffs. She submitted as per the averments of the application. On perusal of application, it appears that defendant No.7 Parbata Pidurkar is died on 12.10.2022. The present application is filed on 27.02.2023. It means that, there is a delay of 48 days in bringing the Lrs of deceased defendant No.7 on record.

04. It appears that, the plaintiffs were not aware about death of deceased defendant No.7. Further, they have no knowledge of legal procedure. Therefore, the delay is not intentional. Rather, it was caused by legally illiteracy. Therefore, the reasons mentioned in the application are explanatory and found to be reliable. Further, the application is supported by affidavit. Therefore, considering the reason mentioned in the application, it is necessary to allow the application. However, considering the delay on the part of plaintiffs costs needs to be saddled

on them. Hence, considering the above findings, I pass the following order.

ORDER

Application is allowed subject to costs of Rs.300/-(in words Rs.Three Hundred only) to paid to the defendants.

Date: 04-03-2025

(Shahaji D.Bhosale)
Civil Judge (Jr.Dn.), Wani.

I, Abhay Pramod Bhoyar, Stenographer of (Civil Judge (Jr.Dn.) & J.M.F.C. Wani) affirm that, the contents of this PDF are same words for words, as per the original order.