

**Order Below Exh. 33**

Perused the application and say. This is an application for bringing legal heirs of plaintiff on record. It is contented that, on 27.04.2019 the original plaintiff was died and therefore his legal heirs be permitted to take on record. The other side has opposed the application on the ground that, there is delay of above four months and three days in bringing the legal heirs on records. Therefore, the application be rejected. The delay condonation application filed by the legal heirs of plaintiff was already granted vide order below Exh. 33. Thus, the applicants being legal heirs of original plaintiff Suresh Goba Wagh, right to sue survives in them. Therefore, the application is allowed in the interest of justice. The plaintiff is directed to carry the amendment and shall file the amended copy of plaint on record.

The costs imposed while deciding delay condonation application is condition precedent for this order.

Sd/-

Date:29/01/2020

(G.V.Gandhe)  
2nd Jt. Civil Judge(Jr. Dn.),  
Chalisgaon