

ORDER BELOW EXH NO.101

By filing this application the legal representative of the deceased plaintiff no.1 pray to condon the delay for bringing them on record.

2 The applicants contend, they are the legal representative of the plaintiff no.1, who died on 15/9/2016. But, they came to know recently that the suit is pending. Accordingly, they pray to grant the application as per prayer clause.

3 Plaintiff nos. 2 to 8 have no objection to grant the application as prayed.

4 Defendant nos. 1 to 18 resisted the application and contended that the delay is not sufficiently explained. The cause of action does not survive and they pray to reject the application.

5 Considering the facts and circumstances, it seems, plaintiff nos.2 to 8 are the family members of the deceased plaintiff no.1. Besides, the plaintiffs have come with the case that they are inherited the suit property. Therefore, it was duty cast upon plaintiff nos. 2 to 8 to bring the legal representatives of the deceased plaintiff no.1. But, they failed to do so. Besides, the applicants have not given justifiable explanation about the delay. The application is vague on this point. Hence, order ;

ORDER

- 1) The application is rejected.
- 2) Costs in cause.

Date :17.02.2018

(B.B.Gaware)
16th Jt. Civil Judge,Sr. Dn. Pune

CERTIFICATE

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

Name of the Stenographer : Sou.V. R. Rupnar

Court : 16th Jt. Civil Judge Sr.Div., Pune

Date : 17.02.2018

Judgment signed by the
presiding officer on : 17.02.2018

Judgment uploaded on : 17.02.2018