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**REGULAR CIVIL SUIT NO. 96 OF 2018**

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Order below application Exh. 25 :-

By way of filing the present application, the defendant no.5 has prayed to pass an order of abatement of the present suit.

It transpires from the record, that the applicants have already filed application for joining them as heirs and legal representatives of deceased plaintiff – Rabiya Bashir Malek on the present suit by filing an application vide Exh.31 and since there was delay of about 1 year 8 months and 3 days, the applicants have also filed two separate applications vide Exh. 29 and Exh.30 for condonation of delay as well as for setting aside the abatement. Thus, the applicants have filed such application for bringing the heirs of the deceased plaintiff on the record of the present suit and today, by separate order, the abatement qua the sole plaintiff is ordered to be set aside hence, the present application does not survive and accordingly, the same is disposed off with no order as to costs.

Pronounced in the open Court on this 15<sup>th</sup> day of September, 2023.

Date: 15<sup>th</sup> September, 2023. (Rajendra Ghanshyambhai Barot)  
Principal Senior Civil Judge  
Mangrol, District : Surat  
Judge Code : GJ00572