

MHRT130001552020



ORDER BELOW EXH.1 IN CIVIL MISCL. APPLICATION NO.62 OF 2020

(Pramod Sawant v/s Sitaram Sawant & Ors.)

(Passed on 03.08.2026)

This is an application for condonation of delay in filing appeal against the judgment and decree passed by the learned Civil Judge, Junior Division Guhagar on 15.11.2016 in Regular Civil Suit No.115/2008.

2. The applicant is original defendant No.1A. The original plaintiff is respondent No.1. Rest of the respondents are original defendants.

3. The application for condonation of delay for filing appeal against the judgment and decree which was passed in favour of respondent No.1. Therefore, the respondent No.1 i.e. original plaintiff, is main contesting party in this application. The application is abated against him as he died on 07.05.2021. Therefore, there cannot be abatement order only against the respondent No.1, but whole application for delay condonation is abated as right to be sued does not survive in favour of the rest of the respondents. Hence, I proceed to pass the following order.

ORDER

The Civil Miscellaneous Application No.62/2020 is abated in whole due to non-bringing on record the legal representatives of respondent No.1 i.e. original plaintiff.

Place: Chiplun

(D. B. Mhalatkar)

Date: 03.08.2026

District Judge-1, Chiplun

Case No. CMA No.62/2020 (Order Below Exh.1)

I affirm that the contents of this pdf file order are same word as per original order.

Name of Grade I Stenographer : Sandeep S. Patil

Court Name : District Judge-1 Chiplun

Date of Decision : 03.08.2026

Order Signed by P.O. on : 03.08.2026

Order uploaded on : 03.08.2026