

MHKO110002432020

R.C.S. No. 19/2020Ashok Namdevrao PatilVs.Swapnil Eknath Buwa**ORDER BELOW EXH. 67**

Present application is filed by the plaintiffs to delay condone and set aside abatement order against deceased plaintiff No. 3.

02. The plaintiffs contended that, defendant No. 3 namely, Eknath Maruti Buwa has died on 17/11/2025. Due to insufficient documents, plaintiffs failed to bring legal heirs of defendant No. 3 on record within stipulated period. No prejudice will be caused to the defendants if present application is allowed. Hence, for the reasons stated in the application, plaintiffs prayed to allow the application.

03. Defendant has filed his say overleaf of the application and strongly resisted to it by contending that, no cogent reasons stated in the applications. Plaintiffs deliberately filed present application. Hence, he prayed to reject the application with costs.

04. I have perused application and say. It appears that, present suit is filed for injunction against the defendants. The defendants in present suit has filed counterclaim against the plaintiff. If said application is not allowed, then the legal heirs of deceased defendant No. 3 will suffer huge loss which can not be count in money. Hence, considering all facts and circumstances, it would be proper to allow the application by awarding cost on plaintiffs. Hence, I pass following order.

ORDER

Present application (Exhibit No. 67) is allowed subject to costs of Rs.300/- (Rupees Three Hundred Only) payable to defendant.

Date : 10/08/2026
Peth-Vadgaon.

(A. R. Joshi)
2nd Jt. Civil Judge Junior Division,
Peth-Vadgaon.