



ORDER BELOW EXH. 52 in RCS No. 194/2013

CNR Number is MHKO110007432013

(Passed on 28/09/2021)

1. Through this application (Exh.52), Plaintiff prayed for setting aside abatement caused due to demise of deceased plaintiff Anil Dattajirao Pawar who died on 28/07/2020.
2. Other side have filed reply on this application and contended that, necessary order may be passed in the interest of justice.
3. Heard learned advocate for plaintiff and learned advocate for defendant. Perused record, application and say on it.
4. Having gone through the application, nature of the proceeding and the fact that death occurred on 28/07/2020. After perusal of record it reveals that, reasons shown for delay is Covid-19 pandemic situation. In my view reason mentioned for delay is justifiable. Present suit is old one. So, it is better to proceed on merits instead of technicalities in this age old suit. Hence, I am inclined to allow the application. Resultantly, following order.

ORDER

1. Abatement order to bring legal heirs of deceased plaintiff Anil Dattajirao Pawar is set aside.

Sd/-

(C. S. Deshpande)

Date :- 28/09/2021

Jt. CJJD, Peth-Vadgaon.