

**MHKO120003692018**



**Reg. Civil Suit No.81/2018**

(CNR No.MHKO120003692018)

**Order below Exh.40**

Perused the application and say. Heard both sides. This application is filed on 05/07/2024. The delay is already condoned vide order passed below Exh.39. The suit is filed for the relief of partition and separate possession. The right to sue survives in favour of the legal heirs of deceased defendant No.6 - Malhari Dnyandeo Desai, who died on 21/06/2022. The reasons assigned in the application are justifiable. On the other hand, defendants needs to be compensated in terms of costs. Hence, I pass following order :-

**ORDER**

- 1] The application is allowed subject to costs of Rs.300/- [Rs.Three Hundreds].
- 2] The abatement is set aside.

Date : 13/08/2024

**( V. V. Kulkarni )**  
Civil Judge Junior Division,  
Gargoti