



**R.C.S.No.91/2021**  
Rajaram Mane Vs Seema Kamble  
CNR No.MHKO180003462021

**ORDER BELOW EXH.20**

(Passed on 5th July, 2022)

This application is filed under Section 5 of Indian Limitation Act for condonation of delay and setting aside abatement. It is contended that, plaintiff Rajaram Babu Mane is died on 11.10.2021. His legal heirs are not brought on record within period of 90 days. There is near about 2 month delay for bringing the legal heirs of deceased on record. The legal heirs of the deceased are require to the brought on record proceed with the suit. Hence, requested to grant this application.

2. In spite of sufficient opportunity defendants fail to file their say hence application proceeded without their say.

3. Heard advocate for plaintiff, perused record and proceeding it shows that plaintiff Rajaram Babu Mane died on 11/10/2021. His death certificate is filed on record vide list Exh.19. It also shows that present suit is filed for perpetual injunction therefore the legal heirs of the deceased are require to be brought on record to proceeded with the suit. Hence considering the nature of the suit I think it would be just and proper to grant this application. Hence, I proceed to pass following order.

**ORDER**

1. Application is allowed.
2. Delay of 2 month for bringing legal heirs on record is hereby condoned.
3. Automatic abatement is hereby set aside.

Dt.05.07.2022.

**(S.S.Ingle)**  
Civil Judge J.D, Kurundwad