

MHLA110005022019



**COMMON ORDER BELOW EXH.27 & 28**  
**IN REGULAR DARKHAST NO.20/2019**  
**SOMLING VS. RAWAN & ANR.**

1. Perused the applications and say filed thereon. Heard Ld. Counsel for both sides.

2. Ld. Counsel for the D.H. submitted that J.D. No.1 Rawan Limbraj Dudhbhate is died on 20/07/2023. However, due to ill-literate and lack of legal knowledge of D.H., he failed to bring the legal representatives of deceased J.D. No.1 Rawan Limbraj Dudhbhate on record within limitation. As he could not file the present applications within the prescribed period of limitation, he prayed to set-aside the abatement and to condone the delay for bringing the legal heirs on record.

3. D.H. has filed this darkhast for execution of decree in RCS No.307/2016. Therefore, it is clear that, right to sue survives to the legal representatives of deceased J.D. No.1 Rawan Limbraj Dudhbhate. The applications are supported with affidavit of wife of D.H., therefore, considering the reasons mentioned in the applications, it will be just and proper to condone the delay for bringing the legal heirs of deceased J.D. No.1 Rawan Limbraj Dudhbhate on record and to set aside the abatement. Hence, I proceed to pass the following order:-

**ORDER**

- 1) Application Exhibit Nos.27 and 28 are allowed subject to cost of Rs.500/- (Rupees Five Hundred only) payable to T.L.S.A., Nilanga.
- 2) Delay in bringing L.Rs. of deceased J.D. No.1 Rawan Limbraj Dudhbhate on record is hereby condoned.
- 3) L.Rs. of deceased J.D. No.1 Rawan Limbraj Dudhbhate be brought on record till next date, without fail.

Dt.:- 13/03/2026

Jt. Civil Judge Sr. Dn., Nilanga.