

RCS NO.174/2018

Ulfatbi Vs. Sultan

ORDER PASSED BELOW EXH. 53

CNR No. MHLA140003222018

This is an application filed by plaintiffs for setting aside abatement order passed against defendant no. 2. Perused application and say filed by the defendants. Heard both. Learned advocate for the defendants has filed his say and strongly opposed the application and prayed to reject the application. The plaint goes to show that right to sue survive after the death of deceased defendant no. 2. Hence, for just decision of the matter and in the interest of justice, it is necessary to set aside the abatement order. Accordingly, I proceed to pass the following order. :-

ORDER

1. Application (**Exh.53**) is allowed.
2. Abatement order passed against deceased defendant no. 2 is hereby set aside subject to costs of Rs.300/-.

Ausa.

Date: 08/01/2024.

(N. B. Rathod)

3rd Jt.Civil Judge J. D., Ausa.