

Order below Exh.21 in LAR No.190/2018.
State Vs. Chandrashekhar and others.
(Order passed on 07th Day of March, 2025.)
CNR No.MHLA170026322023

The applicant(wife) namely Sojarbai Annasaheb Deshmukh of deceased Annasaheb Deshmukh has filed application submitting that, Annasaheb Deshmukh died issueless on 14.10.2023 at AUSA due to old age. The present petition is in respect of huge amount of compensation of acquired land. Therefore, it is necessary to set-aside the abatement order if any, otherwise the applicant will suffer irreparable loss. On the contrary no harm will be caused to the other side if the said order is set-aside for the just decision of the suit. Hence, it is prayed by applicant that abatement order if any be set-aside.

2. Perused the say of respondent. He has denied all the contents of the application of the applicant submitting that, the application filed on record is vogue. The application is not filed within period of limitation. Hence, respondent prayed to reject the application.

3. Heard learned counsels for both the parties. Perused the record. The death certificate produced on record alongwith with list dated 05.03.2024 reveals that, Annasaheb Deshmukh died on 14.10.2023. Adhar Card of applicant is produced on is produced on record alongwith list it reveals that, she is wife of deceased Annasaheb Deshmukh. Hence, she is the only legal heir of deceased Annasaheb Deshmukh. Therefore, for the just decision of the petition it is necessary to add the name of applicant Sojarbai Annasaheb Deshmukh in this petition as respondent No.5/1. Hence,

the application is liable to be allowed. Therefore, I pass following order:-

ORDER

1. The application is allowed.
2. The petitioner shall carry out amendment in the petition by adding the name of Sojarbai Annasaheb Deshmukh as respondent No.5/1 in the petition.
3. Amendment shall be carried out within 14 days from this order.
4. Issue notice to the petitioner.

Place:-Ausa.
Date : 07.03.2025.

(P. I. Mokashi)
Civil Judge, Senior Division,
Ausa.