

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK

L.A.R. No. 100160/2023

Anandrao S. Hirekhan and ors. vs. Spl. Land. Acquisition Officer and ors.

Order below Exh.18

(Dated 27th day of June, 2024)

The legal heirs of applicant No.1 late Anandrao Sadashiv Hirekhan have filed the present application for setting aside abatement order. Ld. advocate of legal heirs of applicant No.1 has submitted that during the pendency of the suit, applicant No.1 namely Anandrao Hirekhan died on 22.11.2022 and as per the provisions of Code of Civil Procedure, the present reference is abated against applicant No.1, but legal heirs of applicant No.1 want to bring them as legal heirs on record, in order to decide suit on merit. Hence, in the interest of justice present application may be allowed.

2. On the other hand, non-applicants failed to file their reply.

3. Heard Ld. advocate of applicants. The reason given by legal heirs of deceased applicant No.1 is not just. However, present application is required to be allowed with minimum cost of Rs.500/- in the interest of natural justice. Hence, I proceed to pass following order-

ORDER

- 1) Application is allowed, subject of cost of Rs.500/-.
- 2) Cost be given to Taluka Legal Services Authority, Ramtek.

Ramtek.
Date : 27.06.2024

[S.M. Sarode]
Civil Judge Senior Division,
Ramtek.