

**ORDER BELOW APPLICATION (EXH. 68) IN REGULAR
CIVIL SUIT No. 53 OF 2011**

1. The present application is filed by the plaintiff praying to set aside 'Abatement' order. It is contention of the plaintiff that, for the reasons mentioned in the application she could not file an application for bringing Legal Heirs of deceased defendant No.1 Nivritti Bhau @ Bhavda Bhalerao within time. Her act is not deliberate. Therefore, she prayed for setting aside 'Abatement' order and to take Legal Heirs of defendant No.1 on record.

2. Defendants filed their Say and resisted the application on the ground that, reasons mentioned are not proper. Delay is Huge. Lastly, prayed to allow the application subject to costs.

3. Heard both sides at length. In such circumstances, considering the nature of dispute and in order to determine the real question in controversy between the parties and to adjudicate the matter effectively and completely and to settle all questions involved in the suit on merits, an opportunity should be given to the plaintiff. Accordingly, following order is passed.

ORDER

(1) Application is allowed.

(2) 'Abatement Order' is hereby set-aside and Legal Heirs of deceased defendant No.1 Nivritti Bhau @ Bhavda Bhalerao be taken on record.

Date : 08/05/2025.

Sd/-
Civil Judge Senior Division,
Igatpuri.