

**ORDER BELOW APPLICATION (EXH. 55) IN SPECIAL
CIVIL SUIT No. 14 OF 2025**

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 he could not file an application for bringing Legal Heirs of defendant No.1 Bhagwan Ananda Goule within time. His act is not deliberate. Therefore, he prayed for setting aside 'Abatement' order and to take Legal Heirs of defendant No. 1 on record.

2. Defendants filed their Say and prayed for rejection on the grounds that, the application is misrepresented, date of death of defendant No.1 has been concealed materially, delay is inordinate, defendant No.1 left for heavenly abode in the year 2023 and prescribed time limit is 60 days. Defendants lastly prayed for imposing costs of Rs.10,000/-.

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 defendant No. 1 be taken on record.

Date : 12/03/2025.

Sd/-
Civil Judge Senior Division,
Igatpuri.