



ORDER BELOW EXH.21 IN R.C.S. No.723/2019.

(CNR No. MHOS10-001203-2019)

Suresh V/s. Maruti.

This is an application filed by plaintiff for setting aside the abatement.

2) As sole defendant is died, application proceeded without say on merit.

3) Heard the learned counsel for plaintiff. I have gone through the application.

4) At the outset, it is necessary to mention here that, as the legal heirs of deceased sole defendant namely Maruti Bhau Kshirsagar were not taken on record within stipulated period, the present suit is automatically abated.

5) The plaintiff contended in his application that, deceased sole defendant died on 13/09/2022, however due to unavailability of necessary documents he could not file the present application within time. The application for condonation of delay Exh. 19 is allowed as reason shown for delay appears to be bonafide. Therefore considering reasons stated supra, in my view, it would be proper to set-aside the abatement. Holding so, I proceed to pass the following order

ORDER

1. Application is allowed.
2. The abatement caused is here by set-aside.
3. Costs in cause.

Date : 15/11/2025.

(Smt. M. V. Patil-Rthode)
Civil Judgej, J.D., Washi.

CERTIFICATE

I affirm that, the contents of this P.D.F. file judgment are same, word to word, as per the original judgment.

Name of Stenographer	---	A.M.Wagh, Stenographer (G-III)
Court	---	C.J.J.D. & J.M.F.C. Court Washi
Date	---	15/11/2025
Order signed by the Presiding officer on	--	15/11/2025
Order uploaded on	—	17/11/2025