

ORDER BELOW EXH.63
(CNRNO.MHOS190000042025)

1. Applicant has filed the present application to set-aside the abatement order passed against non- applicant no.7.
2. Perused the application and say. Heard the Ld. Advocate for both the sides.
3. It is the contention of applicant that, non-applicant No.7 Hanif Mahamad Mulani Sayyad @ Shaikh @ Hanif Ratan Shaikh passed away on 24/10/2021 and it was necessary to bring his legal representatives on record within 90 days. However he did not receive the death certificate of the deceased and information about his heirs and so could not file the necessary application within time. He states that, he has not intentionally caused delay and therefore prays to set-aside the abatement order.
4. As against this, non applicant No.7 by filing his say has denied the contentions made in the application and prays to reject it.
5. Having considered the submissions made on behalf of the parties and on perusal of record it appears that, non-applicant no. 7 has passed away on 24/10/2021. The applicant states that, he could not receive the death certificate of the deceased and information about the heirs of the deceased non applicant no.7 within time. The present matter is related to immovable property

and as the right to sue exists against the legal representatives of non-applicant no. 7 exists, it is necessary to set-aside the abatement order. Hence, I proceed to pass the following order:-

ORDER

1. Application is allowed.
2. The abatement order passed against non-applicant no.7 is hereby set aside.

Date:- 18-03-2026

(Smt. S. D. Awasekar)
Civil Judge Senior Division,
Tuljapur.

CERTIFICATE

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

Name of Stenographer	---	Devidas S. Shiral, Stenographer - Grade II
Court	---	Smt. S. D. Awasekar Civil Judge, Senior Division, Tuljapur, District - Osmanabad.
Date	---	18/03/2026
Judgment/order/issues signed by the Presiding Officer on	---	18/03/2026
Judgment/order/issues uploaded on	---	23/03/2026