

COMMON ORDER BELOW EXHS.9 & 13
IN
R.C.A.NO.358/2016

Initially, the Legal Representatives (LRs) of deceased sole appellant moved applications Exh.9, 11 and 13 to condone the delay to set-aside abatement, to set-aside abatement and to bring the LR's of deceased appellant on record. The reason subjected was that, the LR's were not aware about the proceeding. It is matter of record that, my learned predecessor allowed application Exh.11 which was to condone the delay to set-aside abatement. The legal consequence is that, the remaining applications have been just rendered to just complete the proceedings. Otherwise also the said decision would operate almost equal to as res-judicata. Thus, I proceed to pass the following order.

ORDER

1. Applications (Exh.9 and 13) are hereby allowed.
2. The appellant to carry out the amendment within the time prescribed.
3. The appellant shall tender amended appeal memo within the time prescribed and shall supply to the other side.

Date : 26.07.2024

(Aniruddha L. Tikle)
District Judge-4, Pune.