



ORDER BELOW EXH.31

1. Read application, say. Heard both the sides. This application is filed by the plaintiff for setting aside abatement in respect of death of defendant no.1 who died on 26/09/2018. This application is filed on 08/02/2023. It is alleged in this application that due to Covid-19 etc. the heirs could not be brought on record within time etc. The defendants gave their say and objected this application by contending that, application is not tenable etc.
2. Record perused. This is suit for declaration and partition etc. in respect of immovable property. Everything would be decided on merits in due course of trial. Therefore, in the interest of justice and for fair trial, considering the stage of the case, this application deserves to be allowed. Hence, I pass following order:

ORDER

1. Order of abatement of defendant no.1 is hereby set aside.
2. No order as to costs.

.....Sd.....

(Md. Taher Bilal)

Date : 17/03/2023

Civil Judge Junior Division, Saswad

R.C.S. No.316/2013
Laxman Vs. Shivram
MHPU130011852013



CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment are same word for word as per original Judgment.

Name of Steno : S. S. Gupte, Stenographer, (Grade III)

Court Name : Shri. Md. Taher Bilal
Civil Judge Jr. Division, Saswad.

Date of Order : 17/03/2023

Judgment signed by presiding officer on : 17/03/2023

Judgment uploaded on : 18/03/2023