

(Order below Exhibit 63 and 65 in M.A no. 177/2023)

MHRG140020722023



Order below Exhibit 63 & 65

in

M.A No. 177/2023

(Passed on 02.07.2025)

1. These applications at Exhibit 63 and 65 are to set aside abatement against applicant no.3/1 i.e. Dharmaji Ganpat Patil as he has expired on 22.12.2024, applicant no.4 i.e. Balibai Balaji Mhatre as she has expired on 09.11.2024 and to condone the delay to bring their legal heirs on record.
2. It is submitted that applicant no.3/1 passed away on 22.12.2024 and applicant no.4 passed away on 09.11.2024. They did not receive the death information in time. Since the application to bring legal heirs on record was not filed within the time limit, the application is abated against applicant no.3/1 and 4. The legal heirs of deceased applicant no. 3/1 and 4 are required to be brought on record and therefore delay to bring legal heirs of deceased applicant no. 3/1 and 4 is required to be condoned. Therefore, the said applications need to be allowed.
3. There are no non-applicants
4. Perused the applications. Heard the Ld. Advocate for the

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applicants.

5. It is submitted that the applicant no. 3/1 and 4 have died on 22.12.2024 and 09.11.2024. Since, the death information was not received on time, legal heirs of applicant no. 3/1 and 4 could not be brought on record within the time limit. There is a delay of almost 111 days and 124 days in bringing legal heirs of applicant no.3/1 and 4 on record.
6. Considering the above facts, the applications deserves to be allowed. Hence, I proceed to pass the following order:

:: Order ::

1. Applications at Exhibit 63 and 65 are allowed.
2. The abatement against applicant no. 3/1 and 4 are set aside and the delay to bring legal heirs of applicant no. 3/1 and 4 are condoned subject to cost of Rs. 500/- to be paid to the TLSA.

Sd/-

Place:Uran
Date : 02.07.2025

(Ms. G. K. R. Tandon)
2nd Jt Civil Judge, J.D.,
Uran