

**ORDER BELOW EXH.73 IN REGULAR CIVIL APPEAL NO.5/2022**

**(CNR NO.:MHRT040000392022)**

**(Prakash Narayan Shinde Vs. Jagannath Babaji Shinde & Ors.)**

1. Read application and say. Perused record. Heard.
2. On going through record, it reveals that the present application is made by the appellant on 18.11.2025 for setting aside abatement order against deceased respondent no.2 namely Ahilyabai Laxman Shinde. It is stated that legal heir of respondent no.2 is already on record as respondent no.3.
3. On perusal of death extract Exh.71/1 it reveals that the death of respondent no.2 namely Ahilyabai Laxman Shinde occurred on 15.11.2024. The legal representatives were expected to be brought on record on or before 18.04.2021. But present application is filed on 15.02.2025. The legal heir of respondent no.2 is already on record as respondent no.3. Valuable rights of the parties are going to be decided in the matter. Therefore, it would be proper to set aside abatement. Hence, following order is passed: -

**ORDER**

1. Application is allowed.
2. Abatement is set aside.
3. Costs in cause.

**Khed  
Date-24.11.2025.**

**sd/-  
(V.T. Nirgude)  
District Judge – 2, Khed.**

ertificate

I affirm that the contents of this pdf file order are same word as per original order.

Name of Stenographer : S.K.Inamdar

Court Name : District Judge 2, Khed.

Date of Decision : 24.11.2025

Order Signed by P.O. on : 24.11.2025

Order uploaded on : 24.11.2025