



(2.) The notice was issued to the proposed Lrs of deceased Respondents. However in spite of service of notice no one appeared therefore application is ex parte against them. The Learned advocate of other respondents Shri. Pawaskar objected the application and submitted to pass necessary order.

(3). After perusing the record, it seems that the said appeal is filed against the Judgment and decree in original suit i.e., RCS No. 33/2010 passed by the learned Civil Judge, J.D., Dapoli on 30/12/2013. It must be considered that important and valuable rights of the parties in respect of immovable properties is to be decided in this appeal. Therefore legal representatives of the respondent No.15 and 19 are necessary parties. Under such circumstances according to me abatement order must be set aside and LR shall be taken on record. Furthermore the delay caused is not deliberate. The appellant could not get the information about legal representatives of the deceased Respondents due to corona pandemic. Thereafter it took time to gather the information as the appellant is aged person. Therefore abatement needs to be set aside. In the result, following order is passed.

ORDER

- (1) Application is allowed.
- (2) Abatement, if any, is set aside.
- (3) No order as to costs.

Khed.

Date :- 06.11.2024

(P. S. Chandgude)

I/C District Judge -1 @ District
Judge-2, Khed,
Tal. Khed, Dist. Ratnagiri.

Certificate

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

Name of the English Stenographer	Mrs.V.S.Kulkarni
Name of the Court	Shri. P. S. Chandgude, I/C District Judge-1, Khed, Dist.Ratnagiri.
Date of Pronouncement	06.11.2024
Judgment/order Signed On	06.11.2024
Judgment/order Uploaded On	07.11.2024