

ORDER BELOW EXH.70 IN REGULAR CIVIL APPEAL NO. 26/2015

(CNR NO.:MHRT040001502015)

(Sanjay Jadyal Vs. Ganpat Jadyal & Ors.)

1. The present application is made by the appellant on for setting aside abatement order against deceased respondent no.2 namely Ram Shripat Jadyal. The respondents resisted the application by filing say stating that, there is negligence on part of appellant. Hence, rejected.

2. Read application and say. Perused record. Heard.

3. On perusal of death extract Exh.67/1 it reveals that the death of respondent no.2 namely Ram Shripat Jadyal occurred on 03.10.2024. The legal representatives were expected to be brought on record on or before 03.01.2025. But present application is filed on 05.12.2025. To show satisfactory reason the appellant put forth reason that appellant is doing labour work and agriculture work. Appellant is illiterate and has no legal knowledge. The Ld. Advocate for respondent as well as their relatives have also not given information about the death of respondent to the Court. The reason mentioned is not satisfactory. However, 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-05.12.2025.

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 : 05.12.2025

Order Signed by P.O. on : 05.12.2025

Order uploaded on : 06.12.2025