

R.C.S.No.78/2016
(Anant vs. Laxmi)

Order Below Exh.133
(CNR No. MHRT070012402016)
(Passed On 07/11/2024)

1] This is an application for setting aside abatement to take L.Rs of deceased defendant No. 15.

2] Perused the application and say. Heard the Ld. Advocate at length. Perused the record. As per the contention of plaintiff, it reflected from record that defendant No.15 died on 07/04/2024. He died unmarried. As per contention of plaintiff, defendant No.13, 14 and 16 are his L.Rs. who are already on record. Order 22 Rule 4 of C.P.C. applies only when L.Rs. of deceased are not on record. The known L.Rs. if already on record, the question of abatement does not survive. Being so, application is accordingly disposed off.

Date : 07/11/2024

sd/-
(Prasanna R. Kulkarni)
Civil Judge Junior Division
Chiplun.