

Order below Exh. 66 in R.C.S. No. 02/2018

(CNR No. MHRT080000052018)

By the present application, it is contended that, defendant No. 01 Devaji Gopal Chogale has died on 06/02/2022. It is submitted that as the copy of his death certificate could not be received in time, application could not be made within prescribed period for bringing on record, his legal representatives. The application is made on 16/07/2022. Thus, the suit is abated as against the deceased defendant No. 01 Devaji. It is prayed that, the abatement be set aside.

02. Application is opposed on the ground that the reason given is not just.

03. Perused the record. Heard both sides.

04. There is no dispute that Devaji Gopal Chogale has died on 06/02/2022. The suit is for immovable property. In view of reason stated, aforesaid circumstances and the fact that the proceeding is in respect of immovable property, the application deserves to be allowed. It is allowed accordingly.

Date :- 24/08/2023

(B. D. Tare)
Civil Judge (J.D.), Deorukh.

- : C E R T I F I C A T E : -

Judgment/order in (Order below Exh. 66 in R.C.S. No. 02/2018)

I affirm that the contents of this Pdf file order are same words as per original order.

Name of Stenographer	:- S. A. Bhale
Court Name	:- The Court of Civil Judge (J.D.) & Judicial Magistrate F.C., Deorukh
Date	:- 24/08/2023
Order signed by PO. on	:- 24/08/2023
Order uploaded on	:- 24/08/2023