

**Order below Exh.36**

Perused the application. This is for setting aside abatement order.

02. It is contended that plaintiff was expired on 20/04/2025. However, the legal representatives of the plaintiff could not be brought on record within the stipulated period due to the plaintiff's death, which also led to his wife falling ill. Therefore, it was not possible for her to meet the advocate appointed by the plaintiff and provide the necessary information regarding the plaintiff's legal representatives. Hence, prayed for setting aside abatement order.

03. On the other hand, defendant filed his say and opposed the application contending that plaintiff's legal representatives are intentionally trying to prolong the matter and prayed for the rejection of the application.

04. Heard both sides. Perused the record. In present matter, death certificate of deceased plaintiff is on record along with documents at Exh. 35.

05. Considering oral arguments of Ld. Advocates of both parties and death certificate, in the interest of justice and in order to decide the suit on merits, I pass following order :-

**ORDER**

1. The application is allowed, subject to cost of Rs. 400/- be credited to the Government.
2. Abatement against plaintiff is hereby set aside.
3. Applicant is allowed to take necessary steps for taking on record legal representatives of plaintiff on or before next

date after depositing above said cost amount.

Date:26/08/2025

Place: Lanja.

(S. R. Joshi)  
Civil Judge Junior Division.  
Lanja.

**CERTIFICATE**

*I affirm that the contents of this pdf file Order are same words as per original Order,*

*Name of the Stenographer: S. D. Chavan*

*Court Name: Civil & Criminal Court, Lanja,  
Dist.Ratnagiri,*

*Date of decision : 26/08/2025.*

*Judgment/Order signed by P.O.on : 26/08/2025.*

*Judgment/Order uploaded on : 28/08/2025.*