

Order below Exh.179

Perused the application. This is for condonation of delay and setting aside abatement order.

02. It is contended that Defendant No. 19 Sitabai Sakharam Mohite expired on 19/08/2020. However, plaintiff could not take their legal representatives on record within stipulated period because of non-availability of documents. Hence, he prayed for condonation of delay and setting aside abatement order.

03. Defendant filed his say and opposed the application contending that said delay is intentional.

04. Heard. Perused the record. In present suit, the death certificate of defendant No. 19 Sitabai Sakharam Mohite is alongwith exh. 170.

05. Considering oral arguments of Ld. Advocates 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 Defendant No. 19 is hereby set aside.
3. Delay of 4 Years 9 months and 26 days, mentioned in the application is hereby set aside.
4. Plaintiffs are allowed to take necessary steps for taking on record legal representatives of Defendant No. 19 on or before next date after depositing above said cost amount.

Date:28/11/2025
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 Clerk: P. B. Chopade

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

Date of decision : 28/11/2025.

Judgment/Order signed by P.O.on : 28/11/2025.

Judgment/Order uploaded on : 29/11/2025.