

COMMON ORDER BELOW EXH. 58, 59 And 60
IN CIVIL MISC.APPLN.NO.11/2017
CNR.No.MHSI06-001042-2017
(Tanaji Dhuri Vs. Shiva Dhuri)

- 1.** Read the applications. All are supported with an affidavit. Opponents failed to file say to this application. Hence application are proceeded without say of the opponents.
- 2.** A main application is filed to condon delay caused for restoring suit on record. A contents of the said application discloses that, original suit was filed for relief of declaration. In such situation, right to sue survive.
- 3.** A death certificate produced at exh.78 corroborates with the contents of the said application. As right to sue survives abatement order passed and delay caused to bring legal representatives of deceased defendant no.3 need to be abated and condoned. Hence for interest of justice, I pass following order:

-:- ORDER -:-

1. Applications are allowed subject to payment of cost of Rs.500/- to the legal aid committee.
2. Applicants are directed to carry out amendment within 14 days from this order and to file amended copy on next appointed date without fail.

Date : 05/07/2023.

(D. B. Sutar)
C.J.J.D.,Sawantwadi.