

Order below Exh. 224 Regular Civil Suit No. 118/2011
(Ramchandra Asulekar & ors. Vs. Parvati Pawar & ors.)
CNR NO. MHSN05 0005302011

Plaintiffs filed this application for seeking permission to produce documents on record.

Heard parties. Defendant No. 24 has filed pursis Exh. 222. After filing pursis, the plaintiffs have collected information and filed documents alongwith document list. Considering stage of matter and nature of documents to be relied by plaintiffs, it would appear proper to pass following order :-

ORDER

1. Application is allowed for production of documents.
2. Copy of document list be marked as **Exh. 236.**

Islampur.
Date :- 23.06.2026.

(G.R.Patil)
Civil Judge Senior Division,
Islampur.

Order below Exh. 225 In Regular Civil Suit No. 118/2011
(Ramchandra Asulekar & ors. Vs. Parvati Pawar & ors.)
CNR NO. MHSN05 0005302011

Plaintiffs filed this application for condonation of delay in applying for setting aside deemed abetment of suit against defendant no. 11, 21 & 26. This application is opposed by defendant no. 33 vide filing say at Exh. 232. Despite availing sufficient opportunities other defendants failed to file reply thereby it is decided without their reply.

2. Heard Ld. counsel Shri.BA.Shaikh for plaintiffs. He submits that the defendant no. 24 filed pursis Exh. 222 intimating that the defendant no. 21 Vimal Kurane is no more. After acknowledging pursis, the plaintiffs have collected information and documents regarding with deceased defendants and filed present application for condonation of delay in applying for setting aside deemed abetment of suit.

3. The defendant no. 33 challenged application vide filing say at Exh. 232 by stating that the ground mentioned in application for condonation of delay are not proper. According to him, the plaintiffs have mentioned vague and general ground for seeking condonation and prayed for its rejection in alternative he prayed for imposing costs amount of Rs. 5000/- in case application is allowed.

4. The plaintiffs have filed main suit for partition and perpetual injunction. The defendant no. 33 has filed counter claim at Exh. 183 seeking declaration and perpetual injunction against defendants therein. It is not the contention of defendant no. 33 that

any of the Ld. Counsel representing for deceased defendants had intimated the fact of date of death of defendants. Therefore I don't find force in the objection of defendant that ground referred in application are not proper. According to Shri. Shaikh, the plaintiffs had no knowledge about the pedigree of common ancestor of properties involved in suit being they are purchaser and sought general partition. Considering his submission, I found force in the application. The application filed for condonation is liable for allowed. Hence, I proceed to pass following order :-

ORDER

Application is allowed on costs of Rs. 300/-, costs amount be paid to defendant no. 33 on or before next date.

Islampur.
Date :- 23.06.2026.

(G.R.Patil)
Civil Judge Senior Division,
Islampur.

Order below Exh. 226 in Regular Civil Suit No. 118/2011
(Ramchandra Asulekar & ors. Vs. Parvati Pawar & ors.)
CNR NO. MHSN05 0005302011

Plaintiffs have filed this application for setting aside deemed abetment of suit order against defendant no. 11, 21 & 26. This application is opposed by defendant no. 33 vide filing say at Exh. 231 and prayed for its rejection in alternative prayed for imposing costs amount of Rs. 5000/- in case application is allowed. Despite availing sufficient opportunities other defendants failed to file reply thereby it is decided without their reply.

2. Heard Ld. counsel Shri.BA.Shaikh for plaintiffs. Perused record, from it reveals that defendant No.11 is died on 16.09.2019, defendant no. 21 is died on 08.09.2025 and defendant no. 26 is died on 29.09.2015. The same is supported with the copy of death certificates in the name of deceased defendants which are filed along-with document list Exh.236.

3. The plaintiffs have filed this application along-with separate application Exh.225 for condonation of delay in applying for setting aside deemed abetment. The application Exh.225 is allowed by condoning delay in applying for setting aside deemed abetment. Considering same and ground referred in application, it appears proper to set aside deemed abetment of suit against deceased defendants. Hence, I proceed to pass following order.

=ORDER=

Application is allowed, the order of deemed abetment of suit against defendant No. 11,21 & 26 is hereby set-aside.

Islampur.
Date :- 23.06.2026.

(G.R.Patil)
Civil Judge Senior Division,
Islampur.

Order below Exh. 227 in Regular Civil Suit No. 118/2011
(Ramchandra Asulekar & ors. Vs. Parvati Pawar & ors.)
CNR NO. MHSN05 0005302011

Plaintiffs have filed this application for bringing legal heirs of deceased defendant No. 11, 21 & 26 on record. This application is opposed by defendant no. 33 vide filing say at Exh. 233 and prayed for its rejection. Despite availing sufficient opportunities other defendants failed to file reply thereby it is decided without their reply.

2. Heard Ld. Counsel Shri. B.A.Shaikh for plaintiffs. Perused record, from it reveals that plaintiffs have filed this application for bringing legal heirs of deceased defendant No. 11,21, & 26 on record along-with separate application filed for condonation of delay in applying for setting aside deemed abetment and also filed application for setting aside deemed abetment of suit against deceased defendant no. 11,21, & 26 Both the applications are allowed vide order dated 23.06.2026.

3. The present application Exh.227 is having the necessary recitals regarding details of legal heirs left behind by deceased defendant No.11, 21 & 26, their relationship with deceased. Considering same and nature of suit, it appears proper to allow plaintiffs for bringing legal heirs of deceased defendants on record. Hence, I proceed to pass following order.

=ORDER=

1. Application is allowed, plaintiffs are permitted to bring legal heirs of deceased defendant 11,21, & 26 on record.

2. Plaintiffs to carry out amendment in plaint by bringing legal heirs on record.
3. After bringing legal heirs on record, plaintiffs to file amended copy of plaint along-with additional for legal heirs of deceased defendant No.11,21,26.
4. After compliance, notices to legal heirs of deceased defendant No. 11, 21 & 26 be issued.

Islampur.
Date :- 23.06.2026.

(G.R.Patil)
Civil Judge Senior Division,
Islampur.