

ORDER BELOW APPLICATION EXH.34 IN R.C.S.No.537 of 2010

Present application is filed by the plaintiff for setting aside the abatement order.

2. It is asserted that defendant No.1 died on 17.04.2016. Plaintiff No.1 and 2 being *Pardanashin* ladies could not find out addresses of defendant No.1 and bring the legal heirs on record. Due to which the abatement order was passed. Hence prayed that the abatement order be set aside.

3. Defendant No.1 and 2 have filed their say and stated that plaintiff was having knowledge of legal heirs the addresses of defendant No.1. But intentionally prolonged to bring the legal heirs on record. Hence, prayed for rejecting the application.

4. Perused application, say filed on record. It reveals that plaintiffs being *Pardanashin* ladies. They are unable to ascertain the addresses due to which they cannot bring the legal heirs on record within time. Due to which abatement order was passed. Therefore, considering the above fact and in the interest of justice, it would be appropriate to allow the application for the just decision of the suit subject to reasonable cost. Accordingly I pass the following order :

ORDER

1. Application is allowed.
2. The abatement order is hereby set aside subject to Rs.300/- be paid to the defendants.

Date : 25.06.2019.

(J. A. Zari)
Jt. Civil Judge (J.D.),
Barshi.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment are same word to word as per original Judgment.

Name of Stenographer : A.S.Magnur.

Court Name : J.A.Zari,
Jt.C.J.J.D.& J.M.F.C. Barshi.

Date : 25.06.2019

Judgment signed by the
presiding officer on : 25.06.2019.

Judgment uploaded on : 25.06.2019.