

ORDER PASSED BELOW EXH. 91 IN SPL.C.S. NO. 48/2014

Plaintiff has moved the application for setting aside abatement of suit against defendant No. 1, contending therein that, time has been consumed in obtaining the documents about death of defendant and further plaintiff was facing illness due to which he failed to file the application for bringing L.R's. of defendant No. 1 on record and so, suit is abated.

Application is opposed on the ground that, there is no reason to set aside the abatement.

2. Contention of the plaintiff is that, time is consumed in obtaining documents and he is facing illness. Here, right to sue survives and delay is condoned. In these circumstances, abatement needs to be set aside. Hence, the following order.

O R D E R

Application is allowed and abatement of suit against defendant No. 1 is hereby set aside.

Place : Karad
Date : 03.08.2022

(Y. H. S. Deshmukh)
Jt. Civil Judge, Senior Division,
Karad