

ORDER PASSED BELOW EXH. 98 IN SPL.C.S. NO. 48/2014

Plaintiff No. 1-A of the counter claim has moved the application for setting aside abatement of suit against defendant No. 1, contending therein that, defendant No. 1 Baburao Krishna Sutar died on 13.02.2022 and as they failed to bring his L.R's. on record within the prescribed period of limitation and so, suit has been abated against him.

Application is opposed on the ground that, no reasonable ground for setting aside abatement and costs be imposed.

2. Contention of the plaintiff No. 1-A of counter claim is to the effect that, L.R's. of defendant No. 1 were not having knowledge of law and technicalities and so, they failed to approach their advocate, due to which delay has been caused and suit has been abated. Application is supported by affidavit. Reason put forth appears to be plausible. Hence, the following order.

O R D E R

Application is allowed and abatement is hereby set aside.

Place : Karad
Date : 03.08.2022

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