

ORDER BELOW EXH. 73 IN REG. DAR. NO. 191/2012
Bhagwan Vitthal Latke V/s Sulochana Dnyandev Shevale deceased
Thro.L.Rs. & Ors.
CNR No. MHST050006012012

D.H. has filed this application for amendment under O.6 R.17 of C.P.C. Application is supported with affidavit.

02. J.D. resisted the application by filing say on the application itself.

03. Heard. Perused Record.

04. D.H. has filed this execution petition for execution of decree passed in Spl.C.S.No.68/2006 decided on 10.03.2011. J.D.No.3 Baban Tukaram Latke died on 06.07.2025 and this application is filed on 16.02.2026. As per O.22, R.12 there is no need to file delay condonation and application to set aside abatement. Looking to the nature of dispute and relief I am of the view that right to defend survive against LR's of deceased J.D.No.3. Therefore, they are required to be brought on record in order to decide the dispute between parties and to resolve the dispute finally. Hence, I pass the following order-

ORDER

- (01) Application is allowed.
- (02) Permission granted to D.H. to carry out the amendment for bringing LR's of deceased J.D.No.3 on record.

Place : Karad
Date : 02.04.2026

(J.J.Mane)
4th Jt. Civil Judge Sr. Dn., Karad.