



**Order Below Exh. 179 in RCS No. 214/2009
(Jijaba Tukaram Bhingardev Vs. Madhav Ganesh Kulkarni)**

This application is filed on behalf of the legal representatives of deceased plaintiff for setting aside the abatement order. It is contended that, during pendency of the suit the plaintiff died on 27/10/2024. However, due to no knowledge of proceeding applicant could not filed application for bringing them on record. Therefore, delay is caused and matter is abated. Therefore, the plaintiff prayed to allow the application.

02. Other side contested the application by filing say. It is contended that, reason mentioned in the application is not just and proper. Therefore, other side prayed to reject the application or impose heavy costs.

03. Heard both sides.

04. Perused the record. Record shows that, the suit is filed for permanent injunction. It is the contention of the applicants that, due to no knowledge of proceeding therefore the applicant could not file application for bringing them on

record within limitation and matter abated. Therefore, considering the reason there is sufficient cause for setting aside abatement order. Hence, in the interest of justice, application deserves to be allowed. In the result, I pass the following order.

ORDER

1. The applications at Exh. 179 is allowed.
2. Abatement set aside.

Date : 16/07/2026

(Prashant P. Kulkarni)
3rd Jt. Civil Judge, Junior Division,
Karad.