

Order below Exh.16 in Regular Civil Appeal No.68/2017

(Passed on 09th October, 2023)

This is an application for setting aside abatement (if any) filed by the appellant.

(2) Say has not been filed by the other side.

(3) Heard learned advocate for appellants and gone through the record.

(4) By filing present application, it is averred that respondent No.1 Ganesh Damduji Kutarmare died on 14.01.2021. There is no specific order in respect of abatement in appeal. Appellant prayed to set aside order of abatement. It is noticed that learned advocate of respondent has filed pursis on 14.03.2022 intimating death of respondent No.1 Ganesh. Present application is filed on 16.09.2022 i.e. means appellant has not brought Legal representatives of respondent No.1 on record within 90 days.

(5) Considering prayer, order of abatement against respondent No.1 stands set aside.

Wardha.
Dated: 09.10.2023.

(Smt. R.J. Rai)
Adhoc District Judge-1,
Wardha