

M.A.C.P. No. 12/2025
Prajyot Jangamwar + 2
-Vs-
Rahmat Rahman Sheikh +3

ORDER BELOW EXH-18

This application has been moved by the applicants to set aside the abatement caused due to death of deceased non-applicant No.2.

02) Heard learned Advocate for the applicants Mr. A. T. Katariya. Despite of ample time and chances no say has been filed by the non-applicants and hence this application is kept for order today. Perused the application and the entire record of the application including death certificate of non-applicant No.2 filed by the LRs. of deceased non-applicant No.2 on record while filing pursis at Exh.11.

03) Upon considering rival submissions and material emerged from the record of claim petition, it appears that already this court has condoned the delay caused to move the application to bring LRs of deceased non-applicant No.2 on record. To protect the purpose of filing the claim petition of the applicants, it is necessary to set aside abatement to bring LRs of the non-applicant No.2 on record. No prejudice would cause to the proposed LRs if their names would be substituted in the name of deceased non-applicant No.2. On the other hand they would get opportunity to represent themselves in the petition. Also, no order of abatement is passed on the record of application. Hence, considering all attending facts, application is liable to be allowed

in the interest of justice. Thus, the following order -

ORDER.

1. Application Exhibit-18 is allowed thereby abatement caused due to death of non-applicant No.2 is hereby set aside.
2. Both parties to take note.

(Order dictated and pronounced in open Court today.)

Kelapur.
Date : 12/03/2026

(A.M.Deshmukh)
Member, M.A.C.T.,
Kelapur, Dist. Yavatmal.