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A.Nos.1443, 1444 and 1445 of 2023
in T.O.S.No.15 of 2016

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R.N.MANJULA,J.

These applications have been filed seeking to condone the delay of 1709 days in filing the application to set aside the abatement caused due to the death of the defendant, to set aside the abatement and to bring on record the proposed respondents 1 and 2 as legal heirs of the the deceased defendant.

2. The proposed parties are being the legal heirs of the deceased defendant, they have to be impleaded in order to proceed further.

3. Considering the same, the applications are allowed. The delay of 1709 days in filing the petition seeking to set aside abatement is condoned, the abatement caused by the death of the defendant is set aside and the proposed respondents 1 and 2 are brought on record as defendants in the suit.

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4. The learned counsel for the applicant / plaintiff is directed to carry out the amendment in the cause title of the plaint and serve the amended copy on or before 28.03.2023.

14.03.2023

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Note: Registry is directed to carryout necessary amendment to the cause title of the suit and post the T.O.S. on 28.03.2023.

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