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C.M.P.Nos.896, 901 &904 of 2026
in
S.A.No.1218 of 2014

DR. A.D. MARIA CLETE, J

The S.A.No.1218 of 2014 is passed over for listing the Civil Miscellaneous Petitions in the Additional List which are omitted to be listed along with the Second Appeal.

2. The Civil Miscellaneous Petitions are listed in the afternoon session.

3. The CMP No.896 of 2026 has been filed to condone the delay of 759 days in filing the petition to set aside the abatement caused due to the death of the sole appellant viz. Suseela in S.A.No.1218 of 2014.

4. The CMP 901 of 2026 has been filed to set aside the abatement caused due to the death of the sole appellant viz. Suseela in S.A.No.1218 of 2014.

5. The CMP 904 of 2026 has been filed to bring on record the legal representatives of the deceased sole appellant viz. Suseela in S.A.No.1218 of 2014.

6. Heard the learned counsel for the petitioner as well as the first respondent. The first respondent has not raised any serious objection in allowing these petitions. None appeared on behalf of the



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second respondent and the second respondent name is printed in the cause list.

7. In view of the legal heir certificate produced and considering the reasons set out in the affidavits, this Court is satisfied that the applicants are the legal representatives of the deceased sole appellant.

8. Accordingly, delay of 759 days in filing the petition to set aside the abatement is condoned. The abatement is set aside and the proposed appellants are recorded as legal representatives of the deceased sole appellant and rank them as appellants in the second appeal.

9. In view of the above, the Civil Miscellaneous Petitions are allowed.

10. Registry is directed to carry out the necessary amendments.

12.01.2026
(1/2)

mfa