

Order Below Exh. 32 in Special Civil Suit No. 1541/2015

Shaitanram Choudhary

Vs.

Pralhad Mandhare & Ors

1) The defendant No. 3 and 8 have moved this application for getting No W.S. order dated 31/07/2017 set aside.

2) It is the contention of these defendants that the written statement was ready, but one junior advocate from the office of defendants' advocate misplaced the file and time was consumed to reconstruct the file and to prepare fresh written statement. It is the contention of these defendants that if no W.S. order is not set aside, irreparable loss may be caused to these defendants. Plaintiff has objected the application by filing say.

3) Heard both the sides.

4) The application has been supported by an affidavit. There is no any reason to disbelieve the ground stated in the application. In view of natural justice, defendants are required to get an opportunity to contest the suit. The procedural bottlenecks should not be allowed to come in the way of substantial justice. Moreover, the stage of the suit need not be

reverted back. Yet the matter is pending for appearance of some of the defendants. Hence, I am inclined to grant this application. Accordingly following order.

ORDER

1) No Written Statement order passed against defendant No. 3 and 8 dated 31/07/2017 is set aside and they are permitted to file written statement on record.

Pune.
Date- 29/01/2018.

sd/-xxx
(Vidyadhar S. More)
10th Jt. Civil Judge, S.D., Pune

C E R T I F I C A T E

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court	:-	Shri. V. S. More, 10 th Jt. Civil Judge, S.D., Pune.
Name of the Steno	:-	Shri. D. L. Gudde, Stenographer (Grade-II)
Date of Order	:-	29/01/2018
Order signed by presiding officer	:-	29/01/2018
Order uploaded on	:-	30/01/2018.