

MHTH240000782022



ORDER BELOW EXH.33 IN SPL.C.S.NO.18/2022

This is an application moved by the defendant No.3 for condonation of 318 days delay caused in filing written statement.

2] It is submitted that the defendant appeared on 21.07.2022 and due to unavailability of certain important information and documents, the defendant was unable to submit written statement within stipulated period. The delay caused is not intentional. Thus, it is prayed that delay caused for filing written statement may be condoned and written statement may be taken on record.

3] The plaintiff filed say vide Exh.50 and thereby strongly objected this application. It is submitted that the defendant has not filed any documentary evidence to support its contention for condonation of delay. Hence, the application is rejected with costs.

4] The grounds mentioned in the application are just and sufficient for condoning the delay caused for filing written statement. In order to do substantive justice between the parties, this lis should be decided on merit. Therefore, an opportunity is to be granted to the defendant No.3. No prejudice would be caused to the plaintiff, if the

permission is granted as sought. In the result, the application is allowed. The delay caused for filing written statement is hereby condoned. No order as to the costs.

Vasai
Date : 16.03.2024

Sd/-
(R. H. Nathani)
Civil Judge Senior Division,
Vasai.

CERTIFICATE

I hereby certify that the contents of the PDF file are same word for word as per original order:

Name of Steno : Mr. S. B. Rawool, Stenographer, Grade-II.
Court's Name : Civil Judge Senior Division, Vasai.
Date : 16.03.2024
Dictated on : 16.03.2024
Transcribed on : 16.03.2024
Signed by PO. on : 16.03.2024
Uploaded on : 16.03.2024