



Bhika Nagre and Ors

vs.

Kachru Nagre and Ors.,

ORDER BELOW EXH. 22

(Passed on 7th september 2023)

1. Vide present application defendant no. 3 has prayed for setting aside No Written Statement order dt. 13/02/2023. Plaintiffs have raised strong objection by filing say thereon.

2. It appears that the defendant has failed to file written statement within period stipulated in Order VIII Rule 1 of the Code of Civil Procedure, 1908. The procedure laid down in said Rule is directory and not mandatory and the delay can be condoned for sufficient reason in the larger interest of justice. Hence, considering the reasons mentioned in the application it would be appropriate in the interest of justice to give an opportunity of being heard to the defendant no. 3 who is a Govt. agency. Hence, under such facts and circumstances and for the reasons recorded as above, delay caused by defendant no. 3 can be condoned. Hence, following order is passed :-

:: ORDER ::

1. The application is allowed.
2. In the circumstances, no order as to costs.

Date :- 07/09/2023.
Nashik.

(Archana G. Behere)
8th Jt. CJSD, Nashik