

R.C.S.No.83/2024

CNR No. MHRT050008472024

ORDER BELOW EXH.33

01. Defendant no.2 to 8 have filed present application for setting aside no written statement order dated 27.01.2026.
02. Read the application and say. Heard both side.
03. It is submitted that due to non working of computer they could not file their written statement on 27.01.2026, therefore, no written statement order has been passed against them. If application is allowed, no prejudice will be caused to the plaintiffs. On the other hand, if application is rejected, they would suffer irreparable loss. Hence, prayed for allow the application.
04. The plaintiff has filed say and opposed the application on the ground that application is false. Application has been filed for harassment of plaintiff and for prolonging matter. Hence, prayed for rejection of the application.
05. Perused the record. This is suit for declaration and injunction. Despite sufficient opportunity defendant no.2 to 8 failed to file their written statement. Therefore, no written statement order was passed on 27.01.2026 by rejecting their application Exh.32. Present application is filed on 13.03.2026. Application is supported by affidavit Exh.34. Reason given in the application is not justifiable. However, I am of the opinion that in the interest of justice and for fairness in trial, opportunity for filing written statement can be given to the defendant no.2 to 8. Costs may be imposed. Hence, following order is passed :

ORDER

1. Application **Exh.33** is allowed subject to costs of Rs.300/- each payable to the plaintiff.
2. On failure to comply costs on or before next date, the matter would automatically restored to its previous stage.

Date : 06.08.2026

(D. G. Mhaske)
Jt.Civil Judge Junior Division,
Khed, Dist.Ratnagiri.

CERTIFICATE

Case No.	:	R.C.S.No.83/2024
I affirm that the contents of this pdf file order are same word as per original Judgment/order.		
Name of Stenographer	:	Smt. S. J. Salunkhe
Court Name	:	Jt. C.J.J.D. & J.M.F.C. Court, Khed.
Date of Decision	:	06.08.2026
Judgment/Order signed by Presiding Officer on	:	06.08.2026
Judgment/Order uploaded on	:	06.08.2026