

ORDER BELOW EXH. 15

Defendants have filed the present application seeking permission to file written statement on record and prayed to allow the application. The plaintiff filed her reply on overleaf of the application and contending that the defendants have intentionally delayed the proceedings. Hence, she prayed for rejection of the application. She further submitted that, if the application is allowed, heavy costs be imposed upon the defendants.

2. Perused the record of the case. It appears that the defendant nos. 1 and 2 appeared in the present matter on 29.08.2025; however, they failed to file their written statement within the stipulated period. Consequently, an order of “No Written Statement” was passed against them. The present suit is filed for declaration and injunction. Valuable rights in respect of the parties involved in the matter. Having regard to the nature of the suit, a fair opportunity required to be given to the defendants to contest the matter by filing written statement on record. No prejudice would cause to the plaintiff if written statement is taken on record. Hence, application deserves to be allowed. Hence, considering nature of suit and in the interest of justice, following order is passed.

ORDER

1. The application is allowed subject to costs of Rs.300/- paid to the plaintiff.
2. No W. S. order passed against defendant nos. 1 and 2 is hereby

set aside.

3. The written statement of the defendant nos. 1 and 2 be taken on record on payment of costs.

Date-11/08/2026

Sd/-
(**V. C. Raut**)
6th Civil Judge, Jr.Dn.,
Wardha