

IN THE COURT OF SMALL CAUSES AT MUMBAI

ORDER BELOW EXHIBIT –11

IN

R.A.D. SUIT NO.630 OF 2019

CNR No. MHSCA2-0010502019

Mrs. Pratima Sitaram Dahiwalkar

Plaintiff

Vs.

Mr. Nilesh Jagdish Shah and anr

Defendant

Ld. Advocate for Plaintiffs : P M Narvekar

Ld. Advocate for defendant : K.P.Gala and Asscc.

Coram:-Smt. S. N. Morwale
Judge, C.R.No.25.

Date: 26.11.2019

: ORDER :

1. Defendant No.1 has filed this application for condonation of delay for filing of written statement.
2. Defendant No. 1 has submitted that he has received summons of this suit on 02.05.2019. Thereafter, he could not file his written statement due to personal difficulty. Hence, delay be condoned and he be permitted to file his written statement.
3. Plaintiff has filed reply to this application at exhibit No.12. Plaintiff has strongly opposed this application. Plaintiff has submitted that this application is liable to be rejected with costs.
4. I have heard learned counsel for the parties. I perused this application and say submitted. In this case summons was served upon defendant No. 1 on 02.05.2019. Defendant No. 1 has filed

this application on 25.07.2019. In this case there is delay about near about one and half months. I consider that delay can be condoned subject to payment of costs. Hence, I pass this order.

ORDER

This application is hereby allowed subject to costs Rs. 500/- (Rs. Five Hundred Only) payable to other side on or before next date.

Mumbai.

Dt.26.11.2019

(Smt. S.N.Morwale)

Judge, C. R. No.25

Dictated On : 26.11.2019

Transcribed on : 26.11.2019

Checked and signed on : 26.11.2019

(Smt. S.N.Morwale)

Judge, C. R. No.25