

Orders on IA No. 14

Counsel for Defendant No. 3 filed IA No. 14 U/Sec. 151 of CPC seeking permission to file Written Statement.

It is stated in the affidavit that he could not able to file Written Statement within stipulated period as the plaintiffs have not furnished the sale agreement. After collecting the necessary records filed this application. If this application is not allowed he will be put to great hardship and injury. Hence, pray to allow the application.

Counsel for plaintiff have filed objection to the above application contending that the defendant has not explained for delay. The defendants filed vakalath in the year 2013. After lapse of 8 years filed this application just to harass the plaintiff and drag on the proceedings. Hence prays for dismissal of application.

Heard both side. Perused the records. There is a delay in filing the application that itself is not enough to reject the application. In order to provide one more opportunity to the parties to prove their respective cases the application needs to be allowed by imposing some cost to compensate other party for delay in the interest of justice. Accordingly I proceed to pass the following order.

ORDER

IA No. 14 is hereby allowed on cost of Rs. 300/-.

The written statement filed by the Defendant No. 3 is taken on record.

For issues.

Call on 07.01.2021.

Sd/-
Addl. Civil Judge & JMFC.,
Sidlaghatta