

ORDER ON I. A. No.2

In I.A. No.2 filed U/order 8 Rule 1 R/w.sec 151 of CPC along with written statement of defendant No.2. The defendant No.2 prayed to set aside order of taking written statement as not filed by defendant No.2 and to permit him to file written statement.

2. On the other hand the plaintiff has not filed any objection to the I.A. No.2 but submitted that it may be allowed on heavy cost. I have perused the reasons assigned in the application as well as affidavit filed in support of I.A. No.2. The reasons assigned for non filing of the written statement within prescribed period are satisfactory. For the reasons assigned in affidavit of defendant No.2 filed in support of I.A. No.2 and the circumstances of the case, I feel, it is just and necessary to permit the defendant No.2 to file his written statement in order to determine the lis between the parties on merits. So, I proceed to pass the following:

ORDER

I. A. No.2 filed U/order 8 Rule 1 R/W sec.151 of CPC is hereby allowed on cost of Rs. 300/.

The written statement of defendant No.2 is taken on record subject to payment of cost.

Call on for payment of cost and hearing on memo dated: 09.11.2021 by: 14.02.2022.

Sd/-

Civil judge and JMFC,
Kundagol.