



ORDER BELOW EXH. 24

Non-applicant No.1 and 2 have filed present application for permission to file their say/written statement on record by setting aside no say/w.s. order dated 23.11.2023.

2. It is submitted that the non-applicants failed to file their say within the stipulated period for want of administrative sanction. However, it is necessary for non-applicants to file their say/w.s. on record for just decision of the case. Hence, non-applicants prayed to allow the application.

3. The applicants filed their say and strongly opposed the application. It is submitted that the application is not tenable in the eyes of law as the court has passed order of without say on dated 23.11.2023. The non-applicants have not mentioned the proper reason in the application. Consequently, the applicants prayed to reject the application with costs of Rs.2,000/-.

4. Perused the record. Present case is filed against the non-applicants for taking action of contempt of court.

5. Record shows that non-applicant No.1 and 2 appeared before the court on 25.08.2023, but failed to file their say/written statement till 23.11.2023, hence no written statement order was passed against them. However, considering nature of the case and the reason mentioned in the present application, it is necessary to grant permission to present non-applicants to file their say/w.s. by setting aside no say/w.s. order.

6. On the other hand record shows that the non-applicants have consumed much more time and caused delay in trial of the case. Therefore, delay caused by the non-applicants can not be brushed a side. Consequently, in the interest of justice, I pass the following order.

ORDER

No say/w.s. order passed against non-applicant No.1 and 2 on 23.11.2023 is hereby set aside and they are permitted to file say/w.s. on record subject to cost of Rs.300/- be paid to the applicants.

Sd/-

(P. N. Kulkarni)

Date : 30/01/2024

2nd Jt. Civil Judge (Sr.Dn.), Chandrapur