

MHRG110011112022



ORDER BELOW EXH. 12 IN R. C. S. NO. 78/2022
(Passed on 13.04.2023)

This application is filed for condonation of delay for filing the written statement of the defendant on record. The present application is filed alongwith written statement.

2. The plaintiff has filed say and submitted that, the reason mentioned in the application is not maintainable. The defendants have not given any just and proper reasons. Hence, pray to reject the application. Further submitted that, if the application allow heavy costs may be imposed.

3. Heard learned counsel for the parties.

4. I have gone through the application and say. The learned counsel of the defendant submitted that, due to the absence of the defendant. Therefore, the defendant could not filed written statement within stipulated period. If application is allowed then no prejudice would be cause to the plaintiff. Further written statement is necessary to decide matter on merit. Considering, the reasons it is just and proper to condon the delay for filing written statement on record. So far as, delay in filing said application is concerned, by awarding costs to the defendant, it will suffice the purpose. Hence, in the interest of the justice, I pass the following order.

ORDER

1. Application (at Exh. 12) is allowed subject to costs of Rs. 200/- (Two Hundred Rupees only) to the plaintiff.
2. On paying or depositing the above said costs of amount the written statement and say of the defendant be taken on record.

Mangaon,
Date : 13.04.2023

(G. C. Fulzalke)
Joint Civil Judge Junior Division,
Mangaon, Dist. Raigad.