

**Order below Exh.48 in Spl.CS No.19/2024**

By this application defendant No.1 has requested to set aside ex-parte order dated 21/06/2025 passed against him on the grounds mentioned in the application. Plaintiff has raised strong objections. Perused application sand say. Heard both the sides. Record shows that plaintiff has filed this suit for specific performance of contract and perpetual injunction. The suit summmmons came to be served upon defendant No.1 through RPAD and as he failed to appear on the date of hearing, ex-parte order came to be passed. Taking into consideration the nature of suit, reliefs claimed and to decide the suit on merits, I am of the view to permit defendant No.1 to file his WS. No prejudice will be caused to plaintiff. However, while doing so, the delay caused by defendant No.1 in appearing before the Court cannot be neglected and for that purpose it is necessary to saddle costs of Rs.500/- upon him. Hence, I pass following order :-

**Order**

1. Ex-parte order dated 21/06/2025 passed against defendant No.1 is set aside subject to costs of Rs.500/- to be payable by him to plaintiff on next date or any other date as extended by the Court.
2. After acknowledgment of costs amount by plaintiff, the WS filed by defendant No.1 be taken on record.

Date : 01/12/2025

(Ashish B. Marlecha)  
Civil Judge Senior Division,  
Shrirampur, Dist. A.Nagar.