

Order below Exh.43 in Spl.CS No.19/2024

By this application defendant No.4 has requested to set aside ex-parte order dated 07/08/2025 passed against him on the grounds mentioned in the application. Plaintiff has raised strong objections. Perused application and say. Heard both the sides. Record shows that plaintiff has filed this suit for specific performance of contract and perpetual injunction. The suit summons came to be served upon defendant No.4 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.4 to file his WS. No prejudice will be caused to plaintiff. Hence, I pass following order :-

Order

1. Ex-parte order dated 07/08/2025 passed against defendant No.4 is set aside and the WS filed by him be taken on record.
2. No order as to costs.
3. Necessary order is passed below **Exh.1**.

Date : 01/12/2025

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