

ORDER ON EXHIBIT NO.23.

(Passed on 08.01.2026)

01. This is an application filed by the defendant Nos.1 to 5 for condoning the delay caused for filing written statement. Defendant nos. 1 to 5 submitted that they ought to have filed their written statement within 90 days. But due to lack of necessary documents and personal reasons they could not file their written statement within period of limitation and today, they are willing to file their written statement. Hence, the delay caused for filing their written statement may kindly be condoned.

02. On the other hand, counsel for plaintiff, opposed this application and contended that Defendant nos. 1 to 5 ought to have filed their written statement within 90 days, but they failed to do so. He further contended that the reason cited by defendant Nos. 1 to 5 is not justifiable. Hence, considering the huge delay, this application must be rejected.

03. I have perused the record. Also heard the counsels for both parties. It is a matter of record that limitation period for filing the written statement has expired. Furthermore, it is also a matter of record that No W.S. order has already been passed against defendant Nos. 1 to 5. But, in order to decide the suit on merit and in order to decide the full fledged rights of all the parties of the suit, I find it proper to grant one opportunity to defendant nos. 1 to 5 and and thereby find it proper and justifiable to condone the delay caused for filing their written statement. But at the same time it is necessary to impose a cost of

Rs.200/- on the defendant nos. 1 to 5, which is to be given to plaintiff as a condition precedent. Hence, the following order -

ORDER

- 1- The application is allowed.
- 2- The delay caused by defendant Nos. 1 to 5 for filing their written statement is hereby condoned.
- 3- Defendant nos. 1 to 5 shall pay a cost of Rs.200/- to be given to plaintiff, as a condition precedent.

Place: Sangamner.
Date : 08.01.2026.

(**Prasad B. Joshi**)
5th Jt. Civil Judge Sr. Division,
Sangamner.