

**REG.CIVIL SUIT NO. 381/2019**

Sulochanabai & ors Vrs. Prakash & ors.

**ORDER BELOW EXH. 32**

**CNR No. MHAH140005072019**

Defendant No's. 6 to 8 filed this application for condonation of delay caused in filing their written statement.

2. It is contended that they are served with the suit summons on 03.04.2019. They could not receive some documents to file their written statement. Hence, there is delay of 5 days in filing the written statement. Therefore, they prayed for condonation of delay of 5 days.

3. The plaintiffs opposed the application on the ground that false application has been filed. They further prayed for passing appropriate order.

4. Heard the learned counsel for defendant No's 6 to 8 and the plaintiffs.

5. The plaintiffs filed this suit for partition, measurement and demarcation of the suit lands. These defendants are served with the suit summons on 03.04.2019. They could not file their written statement within prescribed time of limitation. Considering the ground, the delay is required to be condoned. Further, to decide the suit on merit, these defendants should be given an opportunity to defend the suit. Hence, I pass the following order -

**-: ORDER :-**

- 1 The application is allowed subject to costs of Rs. 200/- (Rupees Two Hundred Only) be paid to the plaintiffs.
2. The delay caused in filing the written statement is condoned.

**(Smt. S. D. Soni )**  
Jt. Civil Judge, S.D.  
Newasa

Date : 17.10.2019