

MHAH140013872021



R.C.S. No. 901/2021

**ORDER BELOW APPLICATION EXH.18**

Perused the application filed by defendant No. 1 and say thereon. Heard. This is application for condonation of delay in filing W.S. on record. From perusal of record, it appears that defendant No. 1 was served on 13/10/2021. Thereafter it appears that defendant appeared before Court on 30/10/2021. This application has been filed on 25/03/2022. Plaintiffs have given say and opposed the application. This is suit for partition, separate possession, declaration and permanent injunction. From record, it appears that there is delay on the part of defendant. But it is to be noted it is well settled in law that opportunity should be granted to parties to put their case before Court. Therefore at this stage, considering all the circumstances of the case and also in the interest of justice, delay in filing W.S. on record is hereby condoned subject to cost of Rs. 500/- (Rs. five hundred only). Application is disposed of accordingly.

**Date : 07.12.2022**

**(Shri. A.M.Husain)**  
Jt. Civil Judge, S.D.  
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