

MHAH140020282021



R.C.S. No. 1315/2021

**ORDER BELOW APPLICATION EXH. 34**

Perused application and say thereon. Heard. From perusal of record, it appears that defendant No. 4 was served as per law on 28/04/2022. Thereafter it appears that defendant No. 4 appeared on 09/02/2023 and filed this application on 09/02/2023. This is suit for partition, separate possession, declaration and permanent injunction. It appears that there is certainly inordinate delay on the part of defendant No. 4. Defendant has filed copy of W.S./say along with this application on record. It is to be noted that 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, permission to defendant No. 4 to file W.S./say is granted subject to cost of Rs. 1000/- (Rs one thousand only). Application is disposed of accordingly.

**Date : 15.03.2023**

**(Shri. A.M.Husain)**  
Jt. Civil Judge, S.D.  
**N e w a s a**