

ORDER BELOW EXH.106.

1. The present application is filed by the defendant No. 1 & 2 for permission to file their additional written statement beyond reasonable period. They submitted that for want of some documents they could not file their additional written statement within time. They have not caused delay deliberately. As per principle of natural justice they should be given chance to file their additional written statement. Hence the application.

2. The plaintiffs opposed to present application by filing their say on back of the application. They contend that present application is filed in order to prolong the matter, even defendant have not provided sufficient reason behind delay. Hence plaintiffs prayed to reject the application.

3. Perused the record. Heard learned advocates of both parties. Record shows that on 07.11.2022 plaintiffs had filed amended copy of the plaint. Since then defendants had sufficient time to file their additional written statement as to amended pleading, however they failed to do so. Reason mentioned in application is not found much sufficient to cover delay of 1 year period. However, the present suit is filed for immovable property and considering nature of the suit defendants should be given chance to contest the suit by putting their entire defence. For that purpose present application should be allowed. Hence, following order is passed.

2 **RCS No. 127/2016**
CNR NO.MHAH17-001418-2016

ORDER

1. Application is allowed subject to cost of Rs. 500/- to be paid to the plaintiffs.
2. After payment of cost additional written statement will be read and recorded.
3. Plaintiffs to take note of this order.

Place:- Rahata.

Date :- 03/01/2024.

(S. V. Khaire)
Jt. Civil Judge, Junior Division,
Rahata.