



CNR NO.-MHAH17 001824 2020

ORDER BELOW EXH.26 IN RCS NO.170/2020

Perused application, say and record. Heard both sides.

The defendant No. 1 pray to condone delay caused for filing W.S. It is contended due to Covid he could not attend the Court and could not file W.S. within stipulated period. It was not intentional. Hence pray to accept W.S. Whereas it is objected stating reason not proper and genuine. The defendant appeared in the suit in January and intentional not give the W.S. The defendant appeared in the suit in January. Delay is not stated. Hence pray to reject.

Thus after going through facts, it seems delay was not intentional. Suit is for encroachment wherein right & interest in immovable property is involved. As such for fair trial, opportunity & in the interest of justice. I find it proper to allow the prayer. It would also help in resolving dispute on merits. Hence the defendant 1 is permitted to file W.S. today.

Rahata.

Date:-08.09.2021

(Aditi R.Nagori)

Civil Judge, Senior Division,
Rahata