

**MHAH180028132023**



**R.C.S.No. 710/2023**

Vitthal Ringe

Vs.

Babasaheb Borude & Ors.

**ORDER PASSED BELOW EXHIBIT-14**

This is an application filed by defendant no.1 to 6 for condone the delay caused to file written statement within the statutory period.

2. Defendant no. 1 to 6 submitted that, they could not file written statement within the prescribed statutory period due unavailability of certain documents and information. Hence, they prayed to condone the delay caused to file the written statement within statutory period.

3. Learned advocate for the plaintiff filed his reply on the back leaf of the application and prayed to reject it.

4. I have heard both sides and perused the record.

5. The defendants should have an opportunity to defend the suit. It is always better to decide the suit on merit rather than to proceed without hearing the other side. Therefore, in order to follow the principle of *audi alteram partem*, the delay caused by the defendants to file the written statement within the statutory period needed to be condoned. However, due to the delay caused by defendant nos.1 to 6, the plaintiff is entitled to get costs at the hands of defendant nos.1 to 6. Hence, I pass the following order.

**O R D E R**

1. The application is allowed.
2. The delay caused to file written statement of defendant no. 1 to 6 is hereby condoned subject to the payment of costs of Rs.500/- to be paid by defendant no.1 to 6 to the plaintiff.
3. The Written statement which is already placed on record, be read and recorded after payment of costs as aforesaid.

Date: 09/10/2024

**(Mayursingh D. Gautam)**  
2<sup>nd</sup> Jt. Civil Judge (J.D),  
Rahuri

**C E R T I F I C A T E**

I affirm that the contents of this PDF file Judgment/Order are the same and word to word as per the original judgment/order.

- (a) Name of the Stenographer : S.P. Pardeshi (Grade-III)
- (b) Court : CJJD & JMFC, Rahuri
- (c) Date of Judgment/Order : 09/10/2024
- (d) Signed by the Presiding : 09/10/2024  
Officer
- (e) Judgment/Order uploaded : 09/10/2024  
on