

**ORDER BELOW EXH.29 IN REG CIVIL SUIT NO.620 OF 2016**  
**CNR NO. MHAH18- 004400-2015**

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(Shri Ramdas Dagadu Choudhar and others 2-Plaintiffs Versus  
Shri.Vilas Ramkisan Dhokane and others 11-Accused. )

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1. Through this application, defendant No. 1,2 & 5 prayed to condone delay that caused for filing their Written Statement within stipulated time.

2. Perused the application and say filed to it by the plaintiff.

3. Heard Learned Advocate for both the parties.

4. It is the contention of defendant No.1,2 & 5 that the written statement was prepared well in time, but inadvertently the defendants failed to file the written statement on record within stipulated time. Hence, prayed for condoning the delay caused in filing the written statement.

5. Per contra, application opposed by the plaintiff submitting that long period is lapsed after service of summons on the defendants. Lastly, they contended that if application be allowed heavy costs be saddled on defendants.

6. Suit summons were served on defendant Nos.1,2 and 5 on 28-12-2016 vide Exh. 9. Considering the nature of the suit, I am of the view that fair opportunity need to be given to defendant

No.1,2 & 5 to defend the plaintiffs' claim. No prejudice will be caused to the plaintiffs, by allowing the application. The said delay can be compensated in terms of money. As such, I am inclined to allow the application. Resultantly, I proceed to pass following order.

**O R D E R**

1. Application is allowed.
2. Delay caused for filing Written Statement by defendant No. 1,2 & 5 is hereby condoned with cost of Rs.1,000/- (Rs. One Thousand Only ) to be deposited in Legal Aid, Rahuri.

Date: 03-06-2019

(Maya P. Mathure)  
2nd Jt.Civil Judge (J.D.)  
RAHURI