

MHAH180044002015



ORDER PASSED BELOW EXH. 41 IN R.C.S.No.620/2016
(CNR NO.MHAH180044002015)

Shri. Ramdas Dagadu Chaoudhari and others 2 ..Plaintiffs

Vs

Shri Vilas Ramkisan Dhokane and others 11 .. Defendants

1. This is an application filed by defendant No. 8 for setting aside 'ex-parte' order passed against her on 18-07-2018.

2. The learned Advocate for the defendant No. 8 has submitted that, the defendant No. 8 was ill, hence, due to sickness she could not remain present and filed the written statement in the suit. Hence, she prayed for setting aside ' exparte." order passed against her.

3. The learned Advocate for the plaintiff submitted that, The defendant No. 8 failed to file her written statement within stipulated time. If the present application is allowed, heavy costs be saddled on the defendant No. 8.

4. Perused the application and say filed thereon. Ex-parte order is passed against defendant No. 8 on 18-07-2017. For the purpose of deciding the real controversy between the parties, it is necessary to give the opportunity to the defendant No. 8 to appear in the suit and to file her Written Statement on record. No prejudice will be caused to the plaintiff, if the application is allowed. The delay can

be compensated in terms of money. Hence, I proceed to pass following order :

ORDER

- i) The application(Exh. 41) is allowed.
- ii) ' Ex-parte" order passed against defendant No. 8 dated 18-07-2017 is hereby set aside subject to costs of Rs. 600/- (Rs. Six Hundred only) to be paid to the plaintiffs.

(Smt. P. S. Bidkar)
2nd Jt. Civil Judge, J.D.,Rahuri
Tal. Rahuri, Dist,Ahmednagar

Date:-25-07-2022