

ORDER BELOW EXH.29 IN RCS. NO.22/2018.
(MHAH190001112018)

01. Defendant No. 1 and 2 have filed this application to set-aside "No W.S." order passed on 08/06/2018 against them. Application is supported with affidavit. Plaintiff resisted the application by filing say on application itself.

02. Heard. Perused record.

03. The suit is for partition. In partition suit, both parties stand on the same footing. In the present suit R.C.S.No. 250/2011 has been challenged. It was in respect of suit property. In these facts, defendants side is required to be heard to decide the case and to adjudicate finally as well to resolve dispute. Hence, in above facts, circumstances and in the interest of justice, written statement of defendants is required on record but obviously on cost. Hence, for aforesaid reasons, I pass the following order.

ORDER

01. Application is allowed

02. "No.W.S." order dated 08/06/2018 is set aside on the cost of Rs. 500 payable to the plaintiff.

Place : Shevgaon
Date : 12/04/2022

Sd/-...
(Shrikant Ade)
Civil Judge Junior Division,
Shevgaon.