

**ORDER BELOW EXH.15 IN RCS. NO.78/2021.**  
**(MHAH 19000 303 2021)**

01. Defendant no. 2 filed this application to set-aside “Ex Parte.” order dated 21/07/2022 passed against him. Application is supported with affidavit. Plaintiff resisted the application by filing say on back leaf of the application.

02. Heard, perused record.

03. The suit is for declaration and injunction. The defendant submitted that he is out of station for his work and hence, he could not submitted necessary information and documents to his Ld. advocate. His written statement is required on record for just decision of the suit as well as to avoid multiplicity of proceeding. Hence, in view of say and in fact and circumstances, application deserves to be allowed on costs, hence I pass the following order.

**ORDER**

“Ex parte” order passed against defendant no. 2 dtd. 21/07/2022 is hereby set aside, on cost Rs. 300/- payable to the plaintiff.

Place : Shevgaon  
Date : 17/01/2023

Sd/-  
(V. B. Dombe)  
Jt. Civil Judge Junior Division,  
Shevgaon.