

MHAH190008542022



Order below Exh. 23 in RCS 224/2022

1. This is an application filed by the defendant no.3 and 4 for condonation of delay for filing of w.s and to bring on record the w.s. The say of the plaintiff was called on the said application. The plaintiff vehemently opposed to the said application. As per plaintiff's say the defendant has filed this false application for the purpose of prolonging the matter and also prayed for cost in case if application will allowed.

2. Heard, perused record.

3. The suit is for Partition and Separate Possession. Dispute involved immovable property. Defendants submitted that they could not furnish necessary documents and information to file their w.s within a time hence, it caused delay in filing the w.s. Reasons forwarded for absence and not filing w.s are quite reasonable. No w.s order is not yet passed. Hence application needs to be allowed but obviously on cost. Hence,I pass following order.

ORDER

The application is hereby allowed subject to cost of Rs. 200/- paid by the defendants to plaintiff.

Date : 16/08/2023

(V. B. Dombe)
Jt. Judicial Magistrate F.C.
Shevgaon