

**Order below Exh. 17 in RCS 335/2023**

1. This is an application filed by the defendant no 2 for condonation of delay for filing of w.s. No w.s order is not yet passed. The say of the plaintiff was called on the said application. The plaintiff vehemently opposed to the said application and prayed for rejection of the application with heavy cost.

2. Heard, perused record.

3. The suit is for Declaration and Injunction. Dispute involved immovable property. Defendant submitted that, he could not furnish necessary documents and information 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 yet not 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 defendant no. 2 to plaintiff.

Date : 23/01/2024

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