

**ORDER BELOW EXH.16**

The present application is made by defendants No.1 to 4 for praying to condon delay for filing their written statement.

2. Heard. Read the application and say filed by plaintiff. Perused the record and proceeding. It appears that this is a suit for partition and perpetual injunction. Defendants have not filed their written statement within prescribed period. Learned advocate for the plaintiff objected the application.

3. It is well settled that opportunity of natural justice should be given to everyone. It is also well settled that no one should be remained unheard. In order to enable the court to effectively and completely adjudicate upon and settle all the questions involved in the suit, it is necessary to permit the defendants to file the written statement. It is, therefore, necessary in the interest of justice to allow the application. However, in my opinion the defendants needs to be saddled with costs for causing unnecessary delay for filing the written statement. Hence I pass the following order.

**ORDER**

- 1] The application is allowed subject to costs of Rs. 400/-.
- 2] Written statement of defendants No.1 to 4 be taken on record.

Date:- 30.07.2022.  
Place:- Pathardi

**[V. I. Shaikh]**  
Jt. Civil Judge Jr. Division,  
Pathardi.