

MHAH020006772022

R.C.S.No.107/2022

Vijaya Pandurang

Vs.

Dashrath Namdeo & Ors.

ORDER BELOW EXHIBIT No.24

1. The present application is filed by defendant no.1, 13, 14 for praying to condone the delay caused for filing written statement.
2. Defendant no.1, 13, 14 submitted that due to they are out station, they could not filed their written statement within statutory period. Hence, they prayed to condone the delay for filing written statement.
3. The plaintiff filed his reply on the back leaf of the application. He strongly objected the application and prayed to reject the application.
4. Heard. Read the application and say filed by the plaintiff. Perused the record and proceeding. It appears that, defendant no.1, 13, 14 have not filed their written statements within the prescribed period. It is well settled that opportunity of natural justice should be given to everyone and no one should be remained unheard. In order to enable the court to adjudicate the case effectively and to settled all questions involved in the suit, it is necessary to permit said defendants to file their written statement. Therefore, it is necessary in the interest of justice to allow the application. However, in my opinion defendants no.1, 13, 14 need to be saddled with costs for causing unnecessary delay for filing written statement. Hence I pass the following order :-

ORDER

- 1] The application is allowed subject to cost of Rs.300/- to be paid by defendant no.1, 13, 14 to the plaintiff on or before next date.

.. 2 ..

- 2] Written statement of defendant no.1, 13, 14 be taken on record after payment of cost.

Date :- 24.01.2023
Place :- Pathardi

[Mayursingh D. Gautam]
2nd Jt. Civil Judge Jr. Div.,
Pathardi.