

Order below application Exh.12 for setting aside
'No say' order and permission to file reply to the
application for condonation of delay in M.J.C.
No.47/2023.

National Highways Authority of India.

.. ***Versus***..

Sushma Dinkar Kalpande + 2.

(Date : 16.07.2024)

Present application is filed for setting aside 'No say' orders dated 06.07.2023 alongwith permission to file reply to the application for condonation of delay.

2] It is stated that, respondent No.1 appeared on 09.01.2023 through her counsel in the matter. However, due to oversight, say could not be filed within limitation. Hence, no say orders are passed. It is, therefore, prayed for setting aside the orders.

3] Say is filed by the respondent objecting the application stating that, in spite of granting time, reply was not filed on several occasions. Respondent is prolonging the matter. Hence, it is prayed for rejection of the application.

4] Heard the parties. Perused the papers. Reason given by respondent for non-filing of reply does not appear much satisfactory. Matter is unnecessarily delayed as respondent has not filed

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M.J.C.No.47/2023.

the say in spite of giving sufficient opportunity. Yet for a fair trial, an opportunity can be given to the respondent subject to certain costs to the appellant. Considering the facts and in the interest of just, I pass the following order :

ORDER.

Application is allowed as under :

1. No say order dated 06.07.2023 is set aside subject to costs of Rs.200/- (Rs. Two Hundred only) to the appellants.
2. Reply will be taken after compliance of the costs.
3. Case to proceed.

Dt.- 16/07/2024.

(Smt. M.S. Bhadane)
Ad-hoc Dist. Judge-1,
Akola.

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3. M.J.C.No.47/2023.

Certificate.

I hereby certify that the contents of this PDF File are same word for word as per original order.

Name of Steno : Anil D. Bais.

Court's name : Ad-hoc Dist. Judge-1 & A.S.J., Akola.

Date of dictation : 16/07/2024.

Signed by Presiding Officer on : 16/07/2024.

Uploaded on : 16/07/2024.

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