ORDER BELOW EXH. NO.28

This application is filed by the defendant no.4 for permission to file WS on record. The defendant no.4 has contended that he is residing in another village and he was always suffering from illness. Therefore, he could not contact his counsel and file his WS-cum-Reply on record within stipulated time. Hence, it has become necessary in the interest of justice to permit the defendant no.4 to file his written statement on record. The defendant no.4 has not deliberately failed to file his written statement on record and today he is ready to file his written statement on record. If he is allowed to file his WS on record, then no prejudice will be caused to the plaintiff, on the contrary, if permission is not granted to file WS, then the defendant no.4 will suffer irreparable loss. Therefore, considering said reason, the defendant no.4 may kindly be permitted to file written statement on record.

2. The plaintiff had filed her say on the over leaf of this application. She has strongly opposed this application. Further Ld. Advocate of plaintiff has submitted that appropriate order may kindly be passed.

3. The suit is for mandatory and permanent injunction. Therefore, liberal view has to be taken while considering this application. The reason mentioned in this application appears to

be satisfactory reason to grant permission the defendant no.4 to file his written statement on record. If this application is allowed, then it would be helpful for the proper adjudication of dispute and it will also be helpful to avoid multiplicity of proceedings. Hence, in the interest of justice, I proceed to pass the following order.

O R D E R

1. The application Exhibit 28 is allowed.
2. The defendant no.4 is hereby allowed to file his written statement on record forthwith.
3. Costs in main cause.

Date: 18/4/2024

(Mahesh S. Kale)
Civil Judge (Sr.Dn.),
Akot

CERTIFICATE

I affirm that the contents of this P.D.F file Judgment are same word for word as per original Judgment.

Name of Steno	:	A.M.KALE
Court Name	:	C.J.[S.D.] Akot
Date	:	18/04/2024
Judgment Signed by P.O On	:	18/04/2024
Judgment Uploaded on	:	18/04/2024