

ORDER BELOW EXH.24 IN R.C.S.NO. 37/2017

1. The defendant nos. 4 and 5 filed the present application to set aside exparte order passed against them on 06.12.2017. The plaintiff opposed the application on the ground that application is not tenable as the defendant nos.4 and 5 have not filed their written statement-cum-reply alongwith the application.

2. Perused application and say. Heard learned advocates for respective parties. It is the contentions of defendant nos.4 and 5 that due to urgent agricultural operations, they were unable to remain present in the Court and therefore, exparte order is passed against them. In order to decide the matter on merits, exparte order is needed to be set aside and hence, prayed for allowing the application.

3. Admittedly, exparte order is passed against defendant nos.4 and 5 on 06.12.2017. The application to set aside exparte order is not supported by affidavit. So also, the said application is not filed alongwith the written-statement-cum-reply of defendant nos.4 and 5. The reason is not supported by any evidence. Hence, the application is not at all tenable unless the application is moved alongwith written-statement-cum-reply. Accordingly, I pass following order.

ORDER

Application Exh.24 is rejected.

Dt. 12.12.2018
Barshitakli.

(Paresh R.Wagdole)
Civil Judge (Jr.Dn.)
Barshitakli.

Certificate

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

Name of Steno	:	Santosh S. Kale,
Court Name Barshitakli.	:	Civil Judge (Jr.Dn.) & J.M.F.C.,
Date	:	12.12.2018
Signed by Presiding Officer	:	12.12.2018
Uploaded on	:	12.12.2018