



Order Below Exh. 08 in Cri.M.A No.306/2023.

The non-applicants have sought set aside of 'no say' order passed below (Exh.1). It is claimed that after service of notice to the non-applicants, they have appeared in the present application, however, the non-applicants could not file their say within stipulated time. Now the case is pending and on account of non filing of say, the non-applicant could proceed in the case. The applicant failed to file say, hence, this application is proceeded without say of the applicant. Perused application and the record. Heard both the sides.

2. Record shows that non-applicants had appeared *vide* Exh.15 on 20.02.2024. the non-applicants, however, failed to file say. Accordingly, 'no say' order was passed on 21.03.2024. There was more than sufficient time to non-applicants to file say in which they have failed. However, such opportunity is essential to decide the controversy between the parties at once on merits and for avoiding multiplicity of litigations. Inconvenience caused to the applicant can be compensated. Considering the circumstances, the application (Exh.76) is hereby allowed subject to costs of Rs.2000/-. On payment of costs Rs.2000/ to the applicant personally on or before next date, the non-applicants are permitted to file say on next date.

(Dictated and pronounced in open court)

Date :- 13.02.2025.

(A. G. Tamboli)
Judicial Magistrate First Class,
Court No.1, Murtizapur.

CERTIFICATE

I affirm that the contents of this P.D.F. File Order/Judgment are same, word to word, as per the original Judgment/Order.

Name of the Steno	P. J. Yadav
Name of the Court	Jt.CJJD & JMFC, Murtizapur
Date of Order & Judgment	13.02.2025
Order/Judgment Signed by the P.O. on	13.02.2025
Order/Judgment uploaded on	14.02.2025