

ORDER BELOW EXH. 69 IN R.C.S.No. 410/2015

(CNR No. MAHAU05-002436-2015)

Perused application and say filed by plaintiffs thereon.

2. Heard both sides. After perusal of record, it appears that after service of notice defendant No.6 did not appear in the matter, therefore, the court passed ex-parte order against him on 07.01.2017. Thereafter, on 20.02.2020 defendant No.6 filed present application along with affidavit and written statement that means there is delay of more than 3 years in filing the written statement. The suit is pending for cross-examination of witness No.1 on behalf of plaintiffs. The plaintiff has objected to allow the application on the costs of Rs.1,000/-. Reason mentioned in the application is not satisfactory but considering the stage of the case, it will be just and proper to set aside order dated 07.01.2017 and accept written statement by saddling cost on defendant No.6 for adjudicating matter effectively. Hence, following order is passed -

ORDER

1. Application is allowed.
2. Order dated 07.01.2017 is hereby set aside and the defendant No.6 is permitted to file written statement subject to costs of Rs.500/-, payable to plaintiff.
3. After depositing cost amount only the written statement will be accepted and will be marked as Exhibit.

Date : 12.03.2020.

(V.R. Jambhule)
Civil Judge S.D.,
Vaijapur.

CERTIFICATE

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

Name of Stenographer	:	Sachin V. Kondekar Stenographer (Grade – 2)
Court	:	Smt. V.R. Jambhule Civil Judge (S.D.), Vaijapur.
Date	:	12.03.2020
Judgment / Order signed by the presiding officer on	:	12.03.2020
Judgment uploaded on	:	12.03.2020