



MHAU070010432011

Order passed below Exh.1 & 40 in RCS No.444/2011

[Delivered on: 18/07/2019]

1] Defendant nos.1, 3 and 5 have filed this application for setting aside no written statement order which was passed against them on 04/07/2013. According to them compromise talks were going on with the plaintiff and therefore they could not file their written statement within time. Therefore, they prayed that the no written statement order may be set aside and they may be allow to file their written statement.

2] The plaintiff has objected the application. According to him application is not maintainable and prayed that the application may be rejected with cost.

3] Heard both sides. Considering the nature of the suit and reason made out, it is just and necessary to allow the defendant nos.1, 3 and 5 to file their written statement to decide the suit on merit. At the same time it is necessary to compensate the plaintiff for the delay caused by defendant nos.1, 3 and 5. Hence, I proceed to pass following order.

ORDER

- 1) Application is allowed subject to payment of cost of Rs.300/- to the plaintiff by each of defendant nos.1, 3 and 5.

Date :- 18th July, 2019.

ABR/-

Sd/-
(K. I. Khan)
C. J. J.D. Gangapur

C E R T I F I C A T E

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

Name of the Stenographer : Anil B. Rathod.
Court : J.M.F.C. Court, Gangapur.
Order Date : 18/07/2019.
Order signed by the : 18/07/2019.
Presiding Officer on
Order uploaded on : 20/07/2019.