

MHAU070026722025



ORDER ON EXH-23 IN RCS NO.567/2025
Bhausheb Vs. State

The present application is filed by the defendant No. 3 to 5 to condone the delay caused to file written statement.

02. Heard Ld. Advocate for defendant. It has submitted that, after receiving of notice, copies of the plaint, Exh-5 and other necessary documents was not provided by the plaintiff to the defendants. After 6-7 months they received the copies and thereafter, defendants were busy to collect the necessary documents from the public offices and due to that reason, they failed to file written statement within limitation. The defendants are intending contest the proceeding on merit. They are ready to submit his written statement, therefore, prayed to allow this application.

03. Heard Ld. Advocate for the plaintiffs. He raised strong objection to allow this application. According to him the application is not tenable. Defendants have not mentioned reasons of delay. Therefore, prayed to reject the application.

04. Considering the application and say, it found that, defendants are ready to submit their written statement. Opportunity to submit written statement is needs to be given. No doubt, defendants have caused delay, but in the interest of justice to decide the suit on

merit opportunity is needs to be granted. For delay reasonable costs can be imposed. Hence, order-

ORDER

Application is allowed subject to costs of Rs.1000/-.

(Nilesh R. Indalkar)
Civil Judge Sr. Division
Gangapur

Date:- 25.07.2025