

ORDER BELOW EXH. 22IN RCS. NO. 278/2016

This is an application for permission to file written statement of defendant No. 1.

2. It is contended that, plaintiff has instituted false suit. Plaintiff has not supplied to defendant the documents filed on record. Therefore, defendant could not file his written statement within time. Defendant has filed his written statement along with the application. Therefore, he prayed for allowing the application.

3. Plaintiff filed his say contending that, necessary order may kindly be passed.

4. Perused application, say. Heard.

5. On perusal of record it appears that, defendant No. 1 is served with suit summons on 31.01.2017. He appeared through his learned advocate on 29.03.2017. The present application is filed on 08.11.2017. The defendant No. 1 was supposed to file his written statement on or before 04.03.2017. On expiry of that period, defendant was supposed to file his written statement on or before 04.05.2017. The present application is filed after lapse of 6 months and 4 days. Application is not supported by an affidavit. No any ground is made out. However, application is along with written statement of defendant No. 1. If defendant No. 1 is not permitted to file his written statement then so much loss would cause to him which cannot be compensated in terms of money. Hence, in the interest of justice following order is passed.

ORDER

1. Delay of 6 months and 4 days is condoned subject to cost of Rs. 500/- payable to plaintiff.

2. On payment of cost defendant No. 1 is permitted to file his written statement.
3. Payment of cost is condition precedent.
4. Parties to take note.

Date. 22.06.2020

Sd/-
(P. L. Patil)
Civil Judge Junior Division, Sillod.

CERTIFICATE

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

Name of the Stenographer : B. S. Jadhav

Court : Shri. P. L. Patil,
Civil Judge Junior Division, Sillod.

Date of Judgment : 22.06.2020

Judgment signed by the
presiding officer on : 22.06.2020

Judgment uploaded on : 25.06.2020