

MHAU100004312023



PWDVA No.09/2023

Savita Bapusaheb Parade

Vs.

Bapusaheb Vasant Parade

ORDER BELOW EXH.5.
(Passed on 27/02/2024)

(1) This is an application filed by non-applicant to set aside no say order passed below Exh.1 on 17/02/2024. It is the contention of non-applicant that, this Court was pleased to pass an order to proceed the case without say from non-applicant. According to the non-applicant say is necessary for final decision of the case. Hence, he prayed to set aside order passed by this Court. The applicant's advocate orally submitted to reject the application.

(2) Heard both the sides. The right to fair hearing (Audi Alterem Partem) is the basic concept of the principle of natural justice, which means that, a person must be given an opportunity to defend himself. So, it is just and proper to set aside no say order and allow the non-applicant to file say on record. After, considering the submissions and after perusal of the record, It is just and proper to allow the application. Hence, I passed following order.

-:: O R D E R ::-

(1) Application is allowed.

Date:- 27/02/2024

Sd/-
(Dr. S.V. Rajkuntwar)
Judicial Magistrate, First Class
Khultabad

CERTIFICATE

I affirm that, the contents of this PDF file Judgment / order are same word for word, as per original Judgment / order.

Name of the Stenographer :- ***Akash S. Chavan***

Name of the Court :- C.J.J.D. and J.M.F.C. Court, Khultabad.

Dated :- 27/02/2024

Order signed by the Presiding officer on :- 27/02/2024

Order uploaded on :- 27/02/2024