

MHAU100005672024



R.C.S./100/2024

Raju S/o Mitthu Holkar Vs. Kantabai W/o Mitthu Holkar

ORDER BELOW EXH.15

The defendant no.1 has filed application to set aside ex-parte order passed against defendant no.1 on 11.04.2025. Wherein it is submitted that defendant no.1 has no legal knowledge. Therefore, she could not remain present before the Court. Considering the personal difficulty ex-parte order passed against defendant be set aside.

02. Per contra plaintiff has filed say below Exh.24 and opposed the application. It is contended that if the Court allow the application then heavy cost may be imposed against defendant no.1.

03. Perused the application, say and record of the case. Heard respective parties. From perusal of record it shows that on 11.04.2025 ex-parte order is passed against defendant no.1. The plaintiff is filed suit for perpetual injunction against defendant. Therefore, considering reason mentioned in the application and proper adjudication of the suit on merit I pass following order :

ORDER

1. The application is allowed subject to cost of Rs. 200/- be paid to plaintiff.
2. The order passed on 11.04.2025 is set aside.

3. Respective parties to take note and take steps accordingly.

Date- 09.04.2026.

(G. D. Gurnule)
Jt. Civil Judge Jr. Div.
Khulabad.