

MHAU120004312020

**R.C.S. No.- 42/2020
Sumanbai Vs. Pirkha****ORDER BELOW EXH. - 19**

01. This is an application filed by defendants for setting aside no W.S. and no say order passed against them on 09.08.2021.

02. It is the contention of defendants that, on 09.08.2021, they are out of village for livelihood. Therefore, they were unable to remain present before this Court. They prayed to allow their application for proper adjudication. The Ld. advocate for plaintiff has opposed the application and prayed to reject the application subject to heavy costs.

03. It appears from record that no say and no w.s. order was passed against the defendants on 09.08.2021. The reason mentioned in the application does not appears to be probable. However, for deciding matter on merit it is necessary to take W.S. and say to Exh.- 5 of defendants on record. It is also true that costs is necessary to be imposed on defendants for causing delay. Hence, following order:-

ORDER

- 1.** Application is allowed subject to costs of Rs. 600/- payable to plaintiff.
- 2.** Defendants are directed to pay costs to plaintiff on next date without fail.

3. If costs is not paid it shall be include in bill of costs.

4. The W.S. and say of defendant read and record today.

Date :- 17.10.2022.

[A.B.Ingole]
Civil Judge (Jr.Dn.),
Soygaon.

CERTIFICATE

“I affirm that the contents of this [P.D.F.](#) file Order are same word to word, as per original Order”.

Name of Stenographer	:-	K. P. Dusane.
Court	:-	C.J.J.D. & J.M.F.C., Soygaon.
Date	:-	17.10.2022.
Order signed by presiding Officer on	:-	17.10.2022.
Order uploaded on	:-	18.10.2022.