

RCS No. 580/2019

Surendra Pal – Vs – Ramdulare & others

ORDER BELOW EXH. 44
(Passed On 12/12/2019)

1. The application is filed by defendant No. 1 for setting aside no Written Statement order dated 10/10/2019. Read the application and say filed by plaintiff. Heard counsel for both the parties.

2. Present application was filed on 14/10/2019. Plaintiffs filed say on 24/10/2019. He opposed the application. He submitted that application be rejected by imposing heavy cost. On the other hand, defendant No. 1 is praying to grant one opportunity to defend the suit by filing Written Statement.

3. The suit is for declaration, partition, separate possession and permanent injunction. Considering nature of suit and principles of natural justice, it is necessary to give opportunity to defendant No. 1 to contest. It is necessary for meritorious adjudication of the suit. On the other hand, present application is filed on 14/10/2019

(Order)
Exh. 17

RCS No. 33/2019
Sunita – Vs – Padmakar & others

after lapse of statutory period. Hence, delay caused and inconvenience suffered by the plaintiff can be saddled with by imposing costs. Hence the order :-

ORDER

Application Exh. 44 is allowed subject to cost of Rs. 500/- to be paid by defendant No. 1 to the plaintiff.

Date : 12/12/2019

(Mrs. Sharvari M. Joshi)
8th Joint Civil Judge, Jr. Dn.,
NAGPUR