

Order below Exh.30

Passed on 11/07/2022

- 1) Defendant moved this application, seeking setting aside Ex.parte order.
- 2) It is contended in the application that, defendant could not appeared in the matter due to family problems and lock down induced by pandemic of COVID-19. Hence, Ex.Parte order came to be passed against him. Hence, this application.
- 3) The Plaintiff resisted the application and requested to allow the present application with heavy cost as there is delay in filing written statement.
- 4) Advocate for the defendant submitted that, no harm will be caused to the plaintiff, if this application is allowed. In order to avoid multiplicity of proceeding and effective disposal of the case, it is necessary to set aside the ex.parte order.
- 6) I have given thoughtful consideration to the submissions advanced on behalf of both the sides. Defendant is seeking setting aside ex.parte order on the ground of family problems and lock down induced by pandemic of COVID-19. The reasons assigned by defendnt does not appear to be justifiable. However, in the interest of justice and for effective disposal of the case, present application can be allowed subject to some

costs. Allowing the defendant by setting aside ex.parte order will assist the Court not only to decide the suit finally on merits but also to do substantial justice. Hence, it is not justifiable to reject the present application. For the foregoing reasons, I pass the following order.

ORDER

- 1) The application is allowed subject to cost of Rs. 1000/-.
- 2) Ex.parte order passed against defendant is hereby set aside.

Date: 11/07/2022.
Parli Vaijnath.

(N. R. Yalmane)
Civil Judge Jr. Dn.
Parli Vaijnath

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original Judgment/Order.

Sd/-
Akash B. Kabne
Stenographer Gr-III

Dictated on : 06.07.2022
Transcribed on : 06.07.2022
Checked & Signed on : 06.07.2022