

ORDER BELOW EXH.12
(Passed on 19.12.2025)

In this suit for refund of money by father against daughter, no written statement order is passed on 10.10.2025. Said order be set aside is prayed in this application.

02. Defendant on oath said that she appeared on 08.08.2025 in this suit. She was pregnant and told to avoid to travel, hence she could not file the written statement is the reason given by her. She prayed for liberty to file the written statement.

03. Plaintiff has not taken copy of this application dtd.14.11.2025. Hence the application is taken up for hearing and order.

04. Perused entire record. Plaintiff is seeking returned of Rs.9,90,000/- paid to defendant on 10.05.2023. Defendant is resident of Pune and she appeared on 08.08.2025 is a fact. When the summons was served to her is unclear as the track report of the article sent through RPAD is not on record. It is a fact that the amount was sent to defendant. Whether it was a request transfer with assurance of repayment or something else as per defendant is part of trial. Defendant who on oath said about her medical condition needs one fair chance to put up her defence. The reason given in the application is unchallenged. Further no woman is expected to lie about her pregnancy. That reason is genuine reason. Distance between Pune to Warora is also of around 700 kilometers. First priority of any woman will be towards her unborn child. In

view of the genuine and the fact that defendant has raised specific defence, she deserves one opportunity to contest the suit. Hence no written statement order dtd.10.10.2025 is hereby set aside. Written statement is filed on record is accepted.

Warora
Date : 19.12.2025

(Smt. S. K. Choudhary)
Civil Judge (Sr.Dn.), Warora.