

MHDH070018572025



Order below Exh. 33 in Regular Civil Suit No. 184/2025.
(passed on the date 09.03.2026)

1. Present application is of **defendant No. 2** to set aside '**No written statement**' order passed on 12.01.2026.

2. Read application and say given by learned Advocate for the plaintiff vide Exh. 35. Heard Ld. Counsel of both sides. Perused the all documents filed on record.

3. It is the contention of the defendant that, the officials of defendant No. 2 Shirpur-Varvade Nagarparishad are busy in Nagarparishad and Mahapalika Election work hence, they could not filed written statement within time. On the perusal of record, it becomes clear that, No written statement order passed against defendant No. 2 on the date 12.01.2026. Present application is filed on 02.03.2026. Present suit is for Declaration. In order to proceed with the matter on merit, other side shall be heard and given with the opportunity to file written statement. Hence, defendant's application to set aside the no written statement order is justifiable. But, considering the delay made in filing the written statement, application of the defendant No. 2 deserve to be allowed on cost. Hence, in the interest of justice, I pass following order-

Smt. Pooja N. Kokate

CJJD Shirpur.

ORDER

- i] Application vide Exh. 33 is allowed subject to cost of Rs. 3000/- to be paid to plaintiff.
- ii] After payment of cost, “No written statement” order passed against defendant be set aside and the written statement given by defendant No. 2 shall be taken on record.
- iii] As defendant No. 2 has made two prayers in present application, defendant No. 2 shall pay appropriate Court fees.

Shirpur.
Date : 09.03.2026.

(Smt. Pooja N. Kokate)
Civil Judge, J.D. Shirpur,
Dist. Dhule.
JO Code-2489

Certificate

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

Name of the Stenographer	Gopal A. Patil.
Name of the Court	Smt. Pooja N. Kokate, C.J.J.D., Shirpur, Dist. Dhule.
Date of dictation	09.03.2026
Order Signed by P.O. on	09.03.2026
Order Uploaded on	09.03.2026