



N THE COURT OF CIVIL JUDGE (JUNIOR DIVISION),
ARMORI, DIST. GADCHIROLI
(Presided Over by Smt. Vaishali V. Choudhari)

R.C.S. No.04/2025

E-filing

Sau. Savita Dnyaneshwar Masram
@ Sarita vithhal Naitam

---- **Plaintiff**

-Versus-

Shri. Vishal Giridhar Dampaliwar

---- **Defendant**

Ld. advocate for plaintiff : Shri. C.L. Darekar

Ld. advocate for defendant : Shri. K.B. Chopkar

Order Below Exh.15
(Passed on 28th January, 2026)

This is an application moved by the learned counsel for the defendant praying therein to set aside order dated 10.11.2025 passed by this Court to proceed the matter without written statement of defendant and to permit the defendant to file the written statement on record.

2] Read the application and say. Heard learned counsel for both the parties.

3] Learned counsel for the defendant submitted that defendant was ready to settle the dispute with the plaintiff. Hence, the matter was kept in Lok Adalat. As the defendant had hope regarding settlement of matter he could not file the written statement in prescribed time. On 10.11.2025 the Court ordered to proceed the matter without written statement of the defendant. The defendant has filed this application to set aside the order of proceeding the matter without written statement of defendant and permission to file his written statement on record.

4] Learned counsel for the plaintiff strongly opposed the application and submitted that the defendant remained absent in Lok Adalat. Hence, his contention that he was ready to settle the matter before Lok Adalat but the plaintiff was not ready to settle the matter is totally false. Hence, the instant application may be rejected.

5] Perused the record. It is seen that on being served with suit summons defendant appeared before Court on 11.03.2025 and sought time to file his written statement. Time was granted. Thereafter, on 03.04.2025 and 29.04.2025 he moved the application and sought time to file written statement. Applications were allowed and time was granted to file written statement till next date. On 23.06.2025 and 08.09.2025 counsel for plaintiff and defendant filed joint pursis apprising the Court that the parties want to settle the matter in Lok Adalat. Hence, the matter was kept in Lok Adalat. But in both Lok Adalat counsels were present but parties were absent. The defendant neither remained present before Lok Adalat nor filed his written statement. Hence, an order to proceed without written statement of defendant was passed by this Court. The defendant is now seeking permission to file his written statement. I am of the view that in order to decide the matter on merit an opportunity needs to be granted to the defendant to file his written statement and contest the suit. But the delay caused can not be over looked. Considering all the above facts I passed the following order.

Order

Order dated 10.11.2025 to proceed the matter without written statement of defendant is set aside and the defendant is permitted to file his written statement subject to payment of cost of Rs.500/- to be deposited in Taluka Legal Services Sub-Committee, Armori on or before next date.

Date :28.01.2026

(Smt. Vaishali V. Choudhari)
Civil Judge (Jr.Dn.), Armori