

ORDER BELOW EXHIBIT 17

1. The is an application by defendant seeking setting aside of no WS order passed against him
2. It is the case of the defendant that, he could not collect the necessary documents to file for drafting written statement. Hence, he prayed for allowing the present application along with their WS.
3. The plaintiff has strongly objected the application vide his detailed say contending that the reason mentioned regarding the delay is not satisfactory. Hence, the present application deserves to be rejected and in the alternative be allowed subject to heavy cost.
4. Perused the record. Heard the learned advocates for the plaintiff and the defendant. The defendant appeared in the suit on 21/06/2025. Then NO WS order was passed on 20/09/2025. Thereafter, the present application has been filed. There is delay of almost 6 months.
5. The written statement is necessary to decide the suit on merits. Hence, the delay could be condoned and the defendants deserve one opportunity. Therefore, it is necessary to have their WS on record.
6. As regards to the contention of the plaintiff that due to the lapse of time he had to suffer inconvenience, same shall be compensated by imposing some amount of costs on the defendant. Hence, I proceed to pass following order.

ORDER

1. The application Exh.17 is allowed.
2. The no WS order passed below exhibit 01 dt 20/09/2025 is hereby set aside subject to total cost of Rs. 500/- (Rupees

Five Hundred Only) to be paid by the defendant to the plaintiff.

sd/-

Date: 11/03/2026

Jt. Civil Judge, J.D., Amgaon