

Order below Exh. 19 in RCS No. 40/2021

(Govinda vs Sarpanch+1)

- 1] This is “ No W.S. set aside” application made by defendant no. 1 and 2.
- 2] Read the application and say submitted on the overleaf of this application. Heard Learned Advocate for both the parties. Perused all the documents.
- 3] No W.S. Order came to be passed against defendant dated 22.10.2021.
- 4] Reasons given by defendant is that defendant no. 2 secretary Shrivastav is suspended and any other permanent secretary is not given to the Grampanchayat till last date. He further submitted that now Secretary is appointed. Hence, prayed to allow the application. Per contra Learned Advocate for the plaintiff submitted that present application is not tenable. He further submitted that reason assigned for present application is not sufficient. Hence, prayed to reject the application with heavy cost.
- 5] No W. S. order is came to be passed against defendant No. 1 and 2 on 22.10.2021. Suit is at initial stage. Right of the present defendant No.1 and 2 involve in it. If the opportunity is not given at this stage there may not be proper justification and will suffer great loss to the defendants.
- 6] In order to hear the suit on merit and to give opportunity to the other side to present their case, this application needs to be allowed. Applicant would resultantly be entitled to filed W.S. But considering the delay caused by defendant No. 1 and 2 and reason assigned, this application is allowed on cost of Rs.200/- Considering this, I pass the following order.

Order

Application is allowed subject to cost of Rs.200/-to be paid to plaintiff by defendant No. 1 and 2.

Sd/-

Dt. : 22/11/2021.

(P. S. Sonkamble)
Civil Judge, Jr. Dn., Arjuni/Morgaon

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are, same word to word, as per the signed Order.

Name of Stenographer :- Sau. P. D. Bawankar

Court :- Judicial Magistrate, First Class,
Arjuni/ Mor, Dist. Gondia

Order signed by
Presiding Officer on :- 22.11.21

Order uploaded on :- 23.11.21

Order uploaded by :- Sau. P. D. Bawankar
Steno(L.G.)