

BEFORE THE HON'BLE COURT OF CIVIL JUDGE
SENIOR DIVISION, AT JALNA.

Special Civil Suit No. 68/2025.

Exh-16

Kailas Gangaram Berad

...PLAINTIFF

Versus

Dinesh Mohan Telangre and ors

... DEFENDANT

MAY IT PLEASE YOURE HON'RE,

The Defendant no.1 most respectfully submits as under-

1. That, At the very outset, the plaintiff herein has filed the Special Civil Suit No. 68/2025. The Hon'ble court has passed the no WS and Say order, against the defendant on dated 29.10.2025.
2. That, apart from above mentioned facts the defendant also needed to collect more information in relations to the present suit property without which filing of WS and say couldn't have been done. Therefore, considering the genuine reason of the defendant for delay is filing WS and say.

①

O.S. 15 say
Aduttie
29/10/25

ORDER ON EXH 16 IN

RCS NO. 68/2025

This is an application to set aside the order passed against defendant no. 1 on 29/10/25. It is contended necessary information pertaining to suit property was not received. Thus saying the order could not be filed in time. Whereas plaintiff has filed say an overleaf and objected application stating no justified reason shown to set aside the order.

Heard both sides & gone through record. Suit is served on deft no. 1 on 12/8/25. & now order is passed on 29/10/25, after granting period of more than 60 days. Thus reason of obtaining important information is not at all justified. But suit is for specific performance based ~~on~~ ^{on a} immovable property wherein right & interest of deft is involved. Thus for fair trial, chance to set forth defence is justified. It will help in deciding dispute on merits & at rest. Hence considering facts & delay caused & find proper to allow application subject to cost. Thus order :-

ORDER

1) Application EXH 16 is hereby allowed

3. The Hon'ble court may be pleased to set aside the order of no WS passed on dated 29.10.2025. In the interest of justice and oblige. The valuable rights of the defendant no. 1 are involved in the present matter, even also the defendant no. 1 has good case, therefore the opportunity to defendant no. 1 to defend the case on merit, there is no intentional and deliberate delay.

HENCE IT IS PRAYED THAT:

- A. An application may kindly be allowed.
- B. The delay for filing WS/Say may kindly be condoned and written statement and say may kindly taken on record.
- C. ~~No written statement and say order passed against defendant no. 1 on dated 29.10.2025 may kindly be set aside in the interest of justice and oblige.~~

(Handwritten signature)
30/11/25

Date: 29.11.2025

Place: Jalna

Submitted by:

(Handwritten signature)
30/11/25

Adv. Nikhilkumar Katole

DEFENDANT

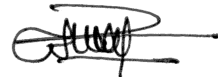
D M T E

Dinesh Mohan Telangre

आदेश

आ. महोदय,

प्रस्तुत अर्जित प्रतीवादीने जेका छिती
दिवादाया विरुद्ध माग कराया ते
विहेलें नाहीं. तसेच लेखी जबाब देवास्त
उत्तर का साजे अर्जे संशुद्धित कारण अर्जित
लुप्त केलें नाहीं सज्ज प्रतीवादीया प्रस्ता
अर्जे अर्जासहित मागु उरवा हे विरुद्ध.



29/11/2025

जरीसामी डे. पि. एम. वर्ये.

- 2 -

Subject to cost of Rs 700/=. It shall
be paid to pty by next date
without fail & excuse.

2) On depositing cost no ws order
shall stand set aside & ws-say
of deft not will be accepted. It
be noted.

DT :- 6/1/26



(Aditi R. Nagari)
Jt CSD, Jalna