

Spl.C.S. No. 157/2024
Chetankumar Vs. Chandrakalabai & ors.
CNR No.MHJN020003542024

ORDER BELOW EXH.15

Defendant nos.1 to 3 have filed present application for setting aside no written statement and say order passed against them on 02.05.2024 and permission to file written statement and say.

2. Defendant nos.1 to 3 submit that after receiving notice of the suit, they have appeared before the Court on 10.04.2024 and notice had received to them on 30.03.2024. The matter had been kept for filing written statement and say of defendant nos.1 to 3. On 02.05.2024, due to non getting some important documents and other domestic problems, they could not give information to their advocate. Therefore, they could not file their written statement and say within time and the Hon'ble Court rejected the said application. Meanwhile, the Court had summer vacations and defendant nos.1 to 3 could not file their say. Defendant nos.1 to 3 have not delayed deliberately. Today, they are filing their say. Hence, they prayed for allowing the application.

3. Plaintiff strongly objected the application on ground that defendants had received the summons in time and they were given ample time to file their written statement, but they deliberately avoided to file their written statement. No genuine reason is mentioned in the application. Hence, he prayed for rejection of the application.

4. Perused application and say.

5. Heard.

6. After perusal of the record it appears that reason mentioned by defendant nos.1 to 3 in the application is just and proper one. To decide the case on merit, it will be proper to allow the present application. Accordingly, order follows.

ORDER

1. The application is allowed.
2. No written statement/say order passed against defendant nos.1 to 3 dated 02.05.2024 is hereby set aside and permission is given to them to file their written statement/say.

Date: 25.07.2024.

(Shri. D. S. Thorat)
Civil Judge (S.D.),
Jalna.

CERTIFICATE

I affirm that, the contents of this P.D.F. file are word to word as per original order.

Name of Stenographer : V. A. Dhone (Grade-III).
Name of Court : Civil Court, (S.D.) Jalna.
Date of PDF : 25.07.2024.

sd/-
Signature of stenographer