

MHJN020022302025



R.C.S.No. 675/2025

Ashok Vs. State.

**Order below Exh. 34**

This is an application filed by the defendant no. 2 to condone the delay cause filing Written Statement.

**02.** It is contented that, on last date defendant no. 2 was not able to file his written statement due to some official difficulties. But today he is ready to file the same. Hence, seeks to permission file the WS to condoning the delay. The Ld. Advocate for the plaintiff has filed his say to this application of over lief and objected the same and prayed to impose cost by rejecting the application.

**03.** Heard both sides and gone through the record. It is a matter of record that, proceeding is arising out of civil dispute. Record shows that there is delay for filing written statement of defendant. But, there is no presumption that delay is intentional. Defendant has filed written statement along with instant application, which shows he is ready and willing to participate in the proceeding. Matter is at initial stage. Issues are not yet frame. Rejection of application will amount to non suit this defendant without deciding matter on merit. Considering reason mentioned in application and in order to give fair opportunity to the defendant to participate in the proceeding effectively to decide matter on merit and also in the interest of justice application deserves to be allowed. Hence, passed following order.

**ORDER**

1. Application is allowed subject to cost of Rs.500/- which shall be deposited by next date without fail.
2. Delay to file written statement by defendant no.2 is hereby condoned with a permission to file written statement on record.

( **Aditi R. Nagori** )  
Jt. Civil Judge (S.D.),  
Jalna.

Date :- 14.02.2026

**CERTIFICATE**

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

Name of the Stenographer : Abhishek D. Agnihotri (JC)

Court Name : Jt. C.J.S.D., Jalna.

Date : 14.02.2026

Signature