

1
Reg. Civil Suit No.77/2024
Satish & Ors. Vs Rajaram & Ors.

MHJN050006432024



Order below Exh.20
(Passed on 01.01.2026)

- 1] By this application, the defendant is seeking permission to file Written Statement by condoning delay of 02 days.
- 2] Read application and say. Heard both sides. Perused record of the case.
- 3] It is contended by the defendant that due to unavailability of documents, therefore, he can not file his written statement within the time stipulated by law. Hence, he prayed to allow the application and condone the delay of 02 days.
- 4] Vide say filed by the plaintiff, the application is strongly opposed on the grounds that the reason for delay is not sufficient.
- 5] I have gone through the record, it appears that on 16.12.2023, the suit summons were served. It means from the date of service of summons, maximum period of 90 days is provided to file written statement. The defendant is appeared on 02.08.2025 and he sought time to file written statement and the present application is filed on 04.11.2025. The reason brought before the Court by the defendant is that due to unavailability, therefore, he could not file written statement within the time.
- 6] It is worth to mention here that the present suit is filed for

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recovery of amount in respect of movable property, therefore, in my considered view opportunity of hearing needs to be given to the defendant. But, deliberate killing of time at the instance of defendant, needs to be penalised by imposing delaying costs. Accordingly, the application is deserves to be allowed with cost. Hence, I pass the following order.

ORDER

- 1] The application (Exh.20) is hereby allowed and thereby the delay caused for filing written statement by the defendant is hereby condoned subject to payment of costs Rs.100/- payable to the plaintiff.
- 2] The payment of costs is condition precedent and it should be paid on or before next date.
- 3] After payment of costs, the accompanied written statement be taken on record and it to be mark as exhibit.

Place : Partur
Date:- 01.01.2026

(V. B. Dombe)
Civil Judge (Jr. Dn.)
Partur.

3
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CERTIFICATE

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

Name of Jr. Clerk : Shantanu Suryakant Kapale
Name of Court : V. B. Dombé,
Civil Judge Junior Division, Partur.
Order dictated on : 01.01.2026
Transcript ready on : Direct on Computer
Order Signed by
Presiding Officer on : 01.01.2026
Order uploaded on : 01.01.2026

Sd/-
(S. S. Kapale)
Jr. Clerk