

MHKO050014112018



ORDER BELOW EXH.53 IN
SPECIAL CIVIL SUIT NO.27/2018
(Passed on 08. 12. 2023)

Perused the application and reply thereon. Heard learned counsel for both sides.

02. Defendant no.3 is seeking to set-aside no reply order passed at Exhibit No.44 on the ground that on the relevant date of hearing he was out of station and he could not supply the necessary documents to his advocate for preparing reply to the application at Exhibit No.44. Hence, it is prayed to set-aside no reply order passed at Exhibit No.44.

03. Application is resisted by the plaintiff vide his reply at Exhibit No.56 on the ground that reasons mentioned in the application are false. Hence, it is prayed to reject the application.

04. It is significant to note that application shows sufficient cause which prevented the plaintiff from appearing in the matter on the date of hearing and to file his reply to the application at Exhibit No.44. Hence, application deserves to be allowed. Hence, considering the delay caused in filing reply to the application at Exhibit No.44, I pass the following order.

ORDER

- 1) Application at Exhibit No.53 is hereby allowed subject to cost of Rs.1,000/-

... 2 ...

Spl. Civil Suit No.27/2018 (Order Exh.53)

payable to plaintiff.

- 2) Reply of defendant no.3 to the application at Exhibit No.44 be taken on record on compliance of above said order.

Sd/-

Ichalkaranji

Date :- 08. 12. 2023

(H. A. Wani)

Civil Judge, Sr.Dn., Ichalkaranji