

R.D. No. 74/2016.**ORDER BELOW EXH. 17.**

Today when the matter is called, both the advocates are absent. The application exh.17 is pending for arguments. This application is moved by J.D. for setting aside “no say order” passed against them. According to J.D. no.1, his previous advocate has not filed say in spite of directions. Thereafter, he was ill and so he could not file his say to the main petition. Now he has appointed another advocate and moved this application for setting aside “no say order”.

This application is resisted by the D.H. contending that the grounds of application are false. No supportive evidence is produced for the application. Hence, he prayed that application may be rejected.

Perused the record of proceeding. Sufficient opportunity needs to be granted to J.D. no.1 to file his say otherwise he will suffer irreparable loss which can not be compensated in the terms of money. Hence, for the best

interest of justice and to have fair trial on merits,
application is allowed subject to cost of Rs.200/- to be paid
to D.H.

Date 16/03/2018

Place Ichalkaranji

sd/-

(S.D. Chavan)

IVth Jt. Civil Judge Jr. Dn., Ichalkaranji

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

Name of the Stenographer	Shri. U.M. Jadhav.
Name of Court	Shri. S.D. Chavan, 4 th Jt. C.J.J.D., Ichalkaranji.
Date of Dictation	16/03/2018
Judgment / order Signed by the P.O. on	16/03/2018
Judgment / order uploaded on	16/03/2018