

MHKO050038072023 	PWDV Application No. 92/2023 <u>Order below Exh.15</u>	Karuna Devraj Tinge Vs. Devraj Maruti Tinge
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1. The applicant has filed application U/sec. 12, 18, 19, 20 and 22 of Domestic Violence Act, 2005. Perused the application filed by non-applicant no.1 for setting aside no say order passed against them. It is contended by the non-applicant no.1 that due to his health issue he failed to file his say within stipulated time. It is also contended that, he would caused irreparable loss, if no say order is not set aside. Hence, he requested to allow the application.

2. This application is confuted by applicant by filling her say at Exh.16. It is contended that, application is not legal. It is also contended that, it is filed in order to prolong the application. Further, she stated that, non applicant has not filed any documents regarding his illness. Lastly, she requested to reject this application.

3. Perused the record. Heard Ld., advocate for both sides. It appears on record that, on 04/12/2024 court has passed no say order against non-applicants. There is progress in application after passing no say order. Therefore, it is necessary to give an opportunity to non-applicant no.1 contest the application on merit. The Inconvenience is caused to the applicant can be compensated by imposing cost upon the non-applicant no. 1. Hence, I pass the following order :-

ORDER

1. Application is allowed subject to cost Rs.100/- (One Hundred only) to be paid by the non-applicant no.1 to the applicant.
2. No stay order dated- 04/12/2024 is hereby set aside.

Ichalkaranji
Date- 03/07/2025

(D. B.Sathe)
2nd Judicial Magistrate First Class,
Ichalkaranji, District Kolhapur.