

MHKO050043612019



ORDER BELOW EXHIBIT NO.54 IN
SPECIAL CIVIL SUIT NO.107/2023
(Passed on 06. 09. 2024)

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

02. Learned counsel for the defendant No.6 submitted that defendant no.6 has never received the suit summons. As such, he could not appear in the present matter. Moreover, recently defendant no.6 came to know about the pendency of the present matter. Therefore, he *suo moto* appeared in the present matter. Hence, it is prayed to grant permission to file his written statement and counter claim.

03. Application is resisted by the plaintiff on the ground that reasons mentioned in the application are false. Hence, it is prayed to reject the application.

04. Perusal of record and roznama shows that no summons was issued to the defendant no.6. Therefore, there appears to be a substance in the contention of the defendant no.6. Hence, it will be just and proper to grant permission to the defendant no.6 to file his written statement and counter claim as prayed. Hence, I pass the following order :

ORDER

- 1) Application at Exhibit No.54 is hereby allowed.
- 2) Written statement of defendant no.6 and his counter claim is hereby taken on record.
- 3) Plaintiff to file his written statement to the counter claim filed by defendant no.6.

Ichalkaranji
Date :- 06. 09. 2024

(Hitendra Urmila Anilkumar Wani)
Civil Judge, Sr. Dn., Ichalkaranji,
Dist. Kolhapur