



**Arjun Baburao Mirje Vs.
Maruti Babu Mane**

The defendant no.1 to 3 have filed the application (Exh.17) for setting aside 'ex-parte' order passed against them. The plaintiff has filed his say and objected the application.

2. Perused the application, say and record. Heard both sides. On perusal of record, it appears that on 24/04/2025 ex parte order passed against the defendant no. 1 to 3. Now, it is alleged by the defendants that they are illiterate and their economic condition is not sound. Therefore, they could not appear before the Court. It appears that the application of the defendant is supported by affidavit. Therefore, it appears that the reason mentioned by the defendants in their application for setting aside 'ex parte' order is sufficient. Moreover, it appears that the plaintiff has filed present suit for specific performance of the contract. Therefore, the important rights of the parties are involved in the present suit. Therefore, it is just and proper to give an opportunity to the defendant no.1 to 3 to file their written statement by setting aside the ex parte order passed against them. Hence, it is legal and proper to set aside the 'ex parte' order passed against them. In the result, I pass following order.

ORDER

Application (Exh.17) is allowed.

Jaysingpur.

Date : 12/06/2025.

(P. A. Patil),

Jt. Civil Judge Senior Division,
Jaysingpur, Dist.Kolhapur.

