



Arjun Miraje.
Vs.
Maruti Mane and anr.,

The defendant No.5 has filed the present application for setting aside 'ex-parte' order passed against it. 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 the ex-parte order was passed against the defendant No.5. Now, it is alleged by the defendant No.5 that due to its official work and non availability of information from concern office, it could not appear before the Court. It appears that the application of the defendant No.5 is supported by the affidavit. Therefore, it appears that the reason mentioned by the defendant No.5 in its application for setting aside the 'ex-parte' order is sufficient. Moreover, it appears that the plaintiff has filed present suit for specific performance of the contract and permanent injunction. 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.5 to file its written statement by setting aside the ex-parte order passed against it. Hence, it is legal and proper to set aside the 'ex-parte' order passed against the defendant No.5. In the result, I pass following order.

ORDER

1. Application (Exh.23) is allowed and ex-parte order passed against the defendant No.5 is set aside.
2. The written statement filed by the defendant No.5 be taken on record.

Jaysingpur.
Date : 13/03/2026.

(P. A. Patil),
Jt. Civil Judge Senior Division,
Jaysingpur.