

MHKO070006312017



**ORDER PASSED BELOW EXH. 49**

1. This application is filed by defendant No.3 praying therein to set-aside No W.S. order passed against her by condoning delay of 87 days.

2. Plaintiff filed his say and opposed to allow this application contending that, reasons stated for setting-aside No W.S. order are not proper. Hence, prayed for rejection of application.

3. Heard both side, gone through record. Reasons stated by defendant for delay in filing W.S. are not appears to be proper. Still in the larger interest of justice and in order to decide petition on merit opportunity needs to be given to them to file Written Statement on record. So far as, delay is concerned same can be balanced by imposing cost on them. Hence, following order.

**ORDER**

1. No W.S. order passed against defendant No. 3 is

2

**Special Civil Suit No. 17/2017**  
**CNR NO.: MHKO07-000631-2017.**

hereby set-aside, subject to payment of cost of  
Rs. 300/- payable by defendant No. 3 to the plaintiff.

Dt.: 1/10/2019.

**( K.G. Sawant )**  
Civil Judge Senior Division,  
**Jaysingpur.**