



ORDER BELOW EXH.106 IN SPECIAL CIVIL SUIT NO.31/2015.

Shri.Dhangonda Appaso Patil.

V/s.

Shri.Appaso Aadgonda Patil etc.

Perused contents of application and affidavit. Also perused say filed by plaintiff thereon. Considering facts, an opportunity needs to be given to defendant No.5 to contest the suit on merit as rights of parties have been involved. Further, there is a huge delay of nine years, which needs to be condoned and exparte order needs to be set aside in the interest of justice. As far as grievance of plaintiff is concerned, it can be compensated in terms of cost. Hence, following order.

**ORDER**

1. Application is allowed subject to cost of Rs.1,000/-.
2. Exparte order passed against defendant No.5 is hereby set aside.
3. Written statement filed by defendant No.5 be taken on record after payment of cost.

Jaysingpur.  
Date : 28/11/2024.

**(Y. H. S. Deshmukh)**  
Civil Judge Senior Division,  
Jaysingpur, Dist.Kolhapur.