

MHKO070008232022



REGULAR CIVIL SUIT NO. 112/2022
Dineshkumar Kasliwal & Oth. - Vs. - Chief Engineer, MSEB,
Kolhapur & Oth.
ORDER BELOW EXH.NO. 61

This is an application filed by defendant Nos. 9 and 10 for permission to file written statement. Plaintiffs filed their say overleaf the said application and opposed the application. Heard learned Advocates for both sides.

02. Perusal of the record shows that suit summons was served on defendant Nos. 9 and 10 on 01/09/2022. Thereafter, defendant Nos. 9 and 10 failed to appear before the Court personally or through their advocate. Till today 'Ex-parte' order is not passed against defendant Nos. 9 and 10, but delay caused to appear in the suit and to file written statement. Therefore, to avoid technical difficulties, they filed this application. The present suit is for perpetual injunction. Thus, in order to decide the suit on merit, it would be justifiable to allow the defendant Nos. 9 and 10 to file their written statement on the record of the suit. However, at the same time delay caused by defendant Nos. 9 and 10 needs to be compensated. Hence, the application is allowed subject to cost of Rs.100/- (Rupees One Hundred only) to be given to plaintiffs.

Place – Jaysingpur.
Date – 19/07/2024

(**Smt. Renuka D. Gaikwad**)
Joint Civil Judge Junior Division,
Jaysingpur, Tal. Shirol, Dist. Kolhapur.