

MHKO070009962014



REGULAR CIVIL SUIT NO.168/2014
Shri Namdev Chavan -- Vs – Sanjay Patil (deceased) through Lrs.
ORDER BELOW EXH. NO. 144

This is an application filed by defendant Nos. 1-A to 1-D for setting aside an ex-parte order passed against them on 23/08/2023. The plaintiff has filed his say at Exh.146 and opposed the application.

02. Perused application and say. Heard learned Advocates of both the sides.

03. Perusal of record shows that on account of failure of defendant Nos. 1-A to 1-D, to appear in the present suit, the suit was proceeded ex-parte against them vide order dated 23/08/2023. The present suit is for specific performance of contract and for perpetual injunction. In order to decide the suit on merit, it would be justifiable to set aside an ex-parte order passed against defendant Nos. 1-A to 1-D and to allow them to appear in the present suit. However delay caused by them needs to be compensated. Hence, the application is allowed subject to cost of Rs.200/- to be given to the plaintiff.

Dt. 16/10/2024
Jaysingpur

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