

MHKO070010452025



ORDER BELOW EXH.43 IN R.C.S.

NO.120/2025.

Chandsaheb Sutar.

Vs.

The Tahsildar and others.

The defendants No.3, 4 and 14 have filed the present application for setting aside no written statement order passed against them. The plaintiffs have filed their say and objected the application.

2. Perused the application, say and record. On perusal of record, it appears that on 12.06.2025 the present defendants have appeared before the Court. However, they have not filed their written statement within stipulated period. Therefore, on 18.08.2025 the no written statement order was passed against them. Now it is alleged by the defendants that, due to non availability of documents from concern offices they could not file their written statement within prescribed time. It appears that the application of the defendants is supported by affidavit. Therefore, it appears that the reason mentioned by the defendants in their application for setting aside no written statement order is sufficient. Moreover, it appears that the plaintiffs filed present suit for declaration 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 defendants No.3, 4 and 14 to file their written statement. In the result, I pass following order.

ORDER

1. Application (Exh.43) is allowed and no written statement order passed against the defendants No.3, 4 and 14 is set aside
2. The written statement of defendants No.3, 4 and 14 be taken on record.

Jaysingpur.

Date : 04/10/2025.

(P. A. Patil)

Jt. Civil Judge Senior Division,
Jaysingpur.