

MHKO070022222024



ORDER BELOW EXH.22 IN Spl.C.S.
NO. 74/2024.

Suresh Khadake.
Vs.
Anil Latawade and anr.

The defendant No.11 has filed the present application for condonation of delay to file written statement on record. The plaintiff has filed his say (Exh.25) and objected the application.

2. Perused the application, say and record. Heard both sides. On perusal of record, it appears that the defendant No.11 is appeared on 29.11.2024. However, he has not filed his written statement within the stipulated period. Now, it is alleged by the defendant No.11 that he was suffering from high blood pressure and therefore, doctor advised him bed rest and therefore, he could not file his written statement within prescribed time. It appears that the application of the present defendant is supported by the affidavit. Therefore, it appears that the reason mentioned by the present defendant in his application to condone the delay to file written statement is sufficient. Moreover, it appears that the plaintiff has filed the present suit for specific performance of contract and declaration. 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 defendant No.11 to file his written statement by imposing costs. In the result, I pass following order.

ORDER

1. Application (Exh.22) is allowed and delay is condoned to file written statement subject to cost of Rs.700/- (Seven hundred only) to be paid to the plaintiff.

2. After depositing the cost the written statement of the defendant No.11 be taken on record.

Jaysingpur.

Date : 10.03.2026.

(P. A. Patil)

Jt. Civil Judge Senior Division,
Jaysingpur.