

MHKO070024132024



ORDER BELOW EXH.14 IN Spl.C.S.

NO.89/2024.

Mahavir Patil.

Vs.

Devgonda @ Ajit Patil and anr.,

The defendants No.2 and 3 have filed the present application for condonation of delay to file written statement on record. The plaintiff has filed his say and objected the application.

2. Perused the application, say and record. On perusal of record, it appears that on 15.01.2025 the present defendants have appeared before the Court. However, they have not filed their written statement within stipulated period. Now it is alleged by the defendants that, defendant No.2 is wife and defendant No.3 is son of defendant No.1 and due to the operation of defendant No.1 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 condonation of delay to file written statement is sufficient. Moreover, it appears that the plaintiff filed present suit for specific performance of contract 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.2 and 3 to file their written statement. In the result, I pass following order.

ORDER

1. Application (Exh.14) is allowed and delay is condoned to file written statement.
2. The written statement of defendants No.2 and 3 be taken on record.

Jaysingpur.

Date : 04/10/2025.

(P. A. Patil)

Jt. Civil Judge Senior Division,
Jaysingpur.