

MHKO070024192024

ORDER BELOW EXH.31 IN R.C.S.
NO.270/2024.



Virgonda Shivgonda Patil.

Vs.

Babu Santu Kale and anr.,

The defendants No.1 to 5, 9 to 17, 19 and 20 have filed the present application for condonation of delay to file written statement and for setting aside no written statement order passed against them. The plaintiff has filed his say and objected the application.

2. Perused the application, say and record. Heard both sides. On perusal of record, it appears that the defendants No.1 to 5, 9 to 17, 19 and 20 are appeared on 20.12.2024. However, they have not filed their written statement within stipulated period. Now it is alleged by the present defendants that the plaintiff had filed the amendment application and application for legal heirs on record and there is difficulty to file written statement/say as both the applications were not decided. They further alleged that due to non availability of documents they could not file their written statement/say within prescribed time. It appears that the application of the defendants is supported by affidavit. Therefore, it appears that the reasons mentioned by the defendants in their application for condonation of delay to file written statement are sufficient. Moreover, it appears that the plaintiff filed present suit for 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.1 to 5, 9 to 17, 19 and 20 to file their written statement. In the result, I pass following order.

ORDER

1. Application (Exh.31) is allowed and delay is condoned to file written statement subject to cost of Rs.400/- (Four Hundred

Only) to be paid to the plaintiff.

2. After depositing the cost the written statement of defendants No.1 to 5, 9 to 17, 19 and 20 be taken on record.

Jaysingpur.

Date : 27/10/2025.

(P. A. Patil)

Jt. Civil Judge Senior Division,
Jaysingpur.