

Pandurang Hari Gurao
Vs.
Manohar Janba Gurao, Thr. LRs.

1. This is an application for setting aside “No Written Statement” order. Perused the application and reply of plaintiff thereon. Heard learned advocate for both sides.

2. There is delay to file written statement by the defendant No.1A to 1C, therefore “No Written Statement” order was passed below Exh.1 by the court on 06.12.2023. No justifiable reason cited to explain delay in filing written statement. Nevertheless, considering well settled principle of natural justice that no one should be condemn unheard, I hold that, delay in filing written statement has to be condoned by imposing exemplary cost. No serious prejudice will be caused to the plaintiff if written statement of defendant No. 1A to 1C taken on record. Therefore, considering facts and circumstances of the present suit, I pass the following order.

ORDER

- 1) Application is allowed.
- 2) Order of “No Written Statement” passed below Exh.1 on 06.12.2023 is set-aside subject to payment of cost of Rs.1000/- (Rs. One Thousand Only) by the defendant No. 1A to 1C to the plaintiff on or before next date.
- 3) Written statement of the defendant No. 1A to 1C be taken on record on compliance of above order.

Place : Gadhinglaj
Date : 12-08-2025

(S. C. Havelikar)
Jt. CJSD, Gadhinglaj
District :- Kolhapur.