



**ORDER BELOW EXH. 103 IN R.C.S.No.175/2010**

Read the application and say filed thereon. Heard learned advocate for the plaintiff. Other side is absent. Case is old. Hence, in order to avoid further delay this application is taken for consideration. Defendant no. 1 to 5, 7(a) to 7(e) have claimed setting aside of no w.s. order on the ground that, they are old age person and could not contact there advocate and give information about the case. Suit is for partition and evidence is not yet started. Therefore, in order to avoid multiplicity of proceeding it would be just and proper to allow the application. However, it is equally necessary to impose cost. Considering the delay and the nature of proceeding. Hence, the following order is passed.

**ORDER**

1. Application Exh. 103 is allowed.
2. No W.S. order passed below Exh. 1 dated 27/11/2018 is set aside and subject to cost of Rs.3000/- to be paid to the plaintiff's.
3. Defendants are directed to pay the cost on or before next date. Failing which necessary order will be passed.
4. C.O.A.

Gadhinglaj.  
Date:- 20/11/2019

(M.T.Kharade)  
Jt. C. J. J. D., Gadhinglaj.