

MHKO100008492021

**Order passed below Exh.10**

Read the application and say filed thereon. Heard both the sides. Perused the plaint and case record. It appears that, defendants have not filed written statement within the statutory period. Therefore suit has been proceed without w.s. As shown in roznama dtd. 22/02/2022. Now setting aside is claimed on the ground that, defendants were residing with their daughter who is in service out of Gadhinglaj. The suit is filed for declaration in respect to properties situated at village Kadgaon. Therefore, in order to decide real controversy, it would be just and proper to give an opportunity to defendants for contesting the suit. However, they have cause delay. Hence it is equally necessary to impose some cost before accepting their written statement. Ultimately, I pass following order.

ORDER

Application is at Exh. 10 is allowed subject to cost of Rs. 500/- (Rs. Five Thousand only) to be paid to the plaintiffs.
(Dictated and pronounced in open court)

Date 10/01/2023
Place : Gadhinglaj

(M.T. Kharade)
Jt. Civil Judge Jr. Division
Gadhinglaj