

MHKO120002882023



Reg.Civil Suit No.80/2023

(CNR No.MHKO120002882023)

Order below Exh.17

Perused the application. Heard Ld. Advocate for the defendant No.1. The defendant No.1 filed the present application for setting-aside No W.S. order. According to the defendant, he is working in hotel at Mumbai, so he did not get the necessary information and documents within time, therefore he failed to file his written statement within stipulated period. Plaintiffs filed their say on the leaf of the application and contended that, defendant deliberately made delay to file his written statement. The reasons are not convincing, therefore the application be rejected with costs. Alternatively they prayed for heavy costs, if application is allowed.

02. Considering the nature of the suit, interest involved in it and considering the reasons stated in the application, fair chance needs to be given to the defendant No.1 to defend the case against them. Accordingly, I pass following order.

ORDER

No written statement order against the defendant No.1 is hereby set-aside subject to costs of Rs.300/- (Rs.Three Hundred) payable to the plaintiffs before next date.

Date : 06/02/2024

Sd/-
(V.B.Mulla)
Civil Judge Junior Division,
Gargoti