


<u>MHKO130003362024</u>	<u>R.C.S. No. 59/2024</u>
	<u>Malubai Dhondiba Powar etc.04 Vs.</u> <u>Hindurao Dhondiba Yadav (Deceased) etc.04</u>

ORDER BELOW EXH. 15.

1] The defendants no. 1/A to 1/D & defendants no. 2 to 4 have filed this application for setting aside the No.W.S. order & seeking permission to file written statement on record.

2] Perused the application and say filed by the plaintiffs. Heard both the sides. On perusal of record, it appears that defendants have failed to file written statement within stipulated period. Plaintiffs have filed present suit for partition & perpetual injunction. Considering the reliefs sought and the nature of suit, written statements of defendants are necessary to be on record for proper adjudication of the suit and for just decision of the suit. The application has been duly supported by an affidavit. No reason to disbelieve the ground. Moreover, the defendants have to be given an opportunity to be heard and contest the suit. Hence I proceed to pass the following order:-

<u>ORDER</u>	
1.	The application is allowed.
2.	No W.S. order passed below Exh. 1 against the defendants is set aside subject to cost of Rs. 700/- [Rs. Seven Hundred only] which is payable to plaintiffs.

Kagal.
Date :- 08/01/2025

(**Pranita S. Patil**)
Jt. Civil Judge Jr. Dn. Kagal.