



Uddhav Patil Vs. Kalpana Patil etc.

CNR - MHKO130004632021

ORDER BELOW EXH. 23 IN R.C.S.No. 104/2021

1. This application is filed by defendant no. 3 and 4 to setting aside no w.s. order passed against them.
2. It is submitted on behalf of learned advocate of the defendants that, due to pandemic situation client could not approach to their advocate. Hence, no w.s. order passed against them. According to learned advocate of these defendants, there is no intentional delay to file w.s. Hence, prayed to set aside no w.s. order with permission to file w.s.
3. Say to this application filed by plaintiff. It is submitted that, there is intentional delay. This application is filed just to prolong the matter. The reasons are not justifiable. Hence, prayed to reject the application.
4. Perused the record. Heard both the parties. Considering nature of suit, reasons mentioned in the application and delay caused, equal opportunity is required to be granted to the defendants. The procedural laws are hand made of justice. Further, the w.s. of defendant would help the court to access the justice. Thus, it is just and proper to set aside no w.s. order passed against defendant no. 3 and 4 by imposing costs of Rs.300/- upon defendant no. 3 and 4, same shall be paid to the plaintiff on or before next date. If the defendant no. 3 and 4 failed to paid the

costs on or before next date, the suit shall proceed from the earlier stage of Exh.23.

Kagal
Date:- 26/07/2022

(B.D.Gore)
Civil Judge Junior Division,
Kagal.