

MHKO130004932024

RCS NO. 117/2024



Dattu Tukaram Patil (Decesed)
Vs.
Shankar Tukaram Patil (Decesed)

ORDER BELOW EXH. 37.

1] The defendant no. 2-A has filed this application for seeking permission to file written statement by condoning the delay caused for filing written statement.

2] Perused the application and say filed by the plaintiffs. Heard both the sides. On perusal of record, it appears that defendant no. 2-A has 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 defendant no. 2-A is 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 defendant no. 2-A has to be given an opportunity to be heard and contest the suit. Hence I proceed to pass the following order:-

ORDER

1. The application is allowed.
2. The delay is condoned subject to costs of Rs. 500/- [Rs. Five Hundred only] which is payable to the plaintiffs.

Kagal.
Date:-23/01/2025

(**Pranita S. Patil**)
Jt. Civil Judge J.D. Kagal.