

Reg. Civil Suit No.180/2015

Order below exhibit 37.

1. The defendant No.32 has filed this application for setting aside No W. S. order passed against her. Perused the application and the say. Heard both sides.
2. It is the contention of defendant that, she could not file the written statement within stipulated period as she could not collect the document within time, & provide information to her lawyer for filing written statement in time. She now wants to contest the matter by filing her written statement.
3. On the contrary the plaintiff filed his say and strongly objected the application. He submitted that, the application is false & concocted one. There is no just and proper reason mentioned in the application. Hence, the application be rejected with costs. If, the Court thinks it fit to allow this application, heavy cost of Rs.1000/- be imposed.
4. Perusal of record reveals that despite ample opportunities being given the defendant did not file the written statement within stipulated time. The reasons given by the defendant are not just. Even then this being a trial court an opportunity can be given to the defendant to contest the matter for the decision of the case on merits. At the same time the delay caused needs to be compensated. Considering these aspects the application deserves to be allowed subject to cost. In result the following order is passed.

ORDER

1. Application is allowed subject to cost of Rs.200/- to be paid to other side.
2. The written statement be taken on record.

Date: 28/07/2016
Kagal.

Sd/-
(G. D. Nirmale)
Civil Judge Jr. Dn., Kagal.

I affirm that the contents of this PDF file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer	S. S. Gorwade
Name of the Court	Civil Judge Jr. Division, Kagal.
Date of Dictation	28/07/2016
Judgment signed by the P.O. on	28/07/2016
Judgment uploaded on	12/08/2016