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| <u>MHKO130011842023</u> | <u>R.C.S. No. 175/2023</u> |
|  | <u>Tukaram Piru Magdum Vs. Abhijeet Hari Magdum.</u> |

ORDER BELOW EXH. 17.

1] The defendant 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 plaintiff. Heard both the sides. On perusal of record, it appears that defendant has failed to file written statement within stipulated period. Plaintiff has filed present suit for declaration & perpetual injunction. Considering the reliefs sought and the nature of suit, written statements of defendant 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 has to be given an opportunity to be heard and contest the suit. Hence I proceed to pass the following order:-

| <u>ORDER</u> | |
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| 1. | The application is allowed. |
| 2. | The delay is condoned subject to costs of Rs. 700/- [Rs. Seven Hundred only] which is payable to plaintiff & accordingly defendant is permitted to file written statement on record. |

Kagal.
Date :- 19/09/2024

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