

	<p style="text-align: center;"><b><u>Order below Exh. 9 in R.C.S.No. 32/2021</u></b></p> <p style="text-align: center;"><b>Tuakaram Chandru Naik Vs. Mohan Shatyappa Naik, Others 6</b></p>
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This is the suit for perpetual injunction. By application at Exh. 9 , the defendants No. 1 to 7 have prayed to grant them permission to file their written statement on record as stipulated period for filing written statement is expired. In the application it is contended that, as the defendants No. 1 to 7 due to covid pandemic and Nationwide lockdown, they could not file their W.S. within a stipulated time. According to them, delay caused for filing their W.S. is not deliberate and therefore, they prayed to grant the application in prayed terms. Application is supported with affidavit of defendant No. 1 namely, Mohan Satyappa Naik.

2. The application is strongly objected by the plaintiffs by filing their say on backpage of the application itself. They contended that, the reasons mentioned in the application are not proper and it is false, hence application is not tenable. Hence, considering the delay of more than 1 year, this application may be allowed on cost of Rs. 5000/- payable to plaintiffs.

3. Heard Ld. Advocate Shri. V.S. Jadhav for the defendants and Shri. A.P. Dewan, the Ld. Advocate for the plaintiffs at length.

4. The reasons assigned by defendants in their application are acceptable in the background of Covid-19 pandemic. It is their convincing submissions that, they could not travel out of their village during the said period due to covid pandemic and Nationwide lockdown and therefore, they could not file their W.S. to the application. In the interest of justice, opportunity is required to be granted to safeguard their interest in the suit as well as principle of natural justice. I am not inclined to grant costs as reasons

assigned are satisfactory. Hence, following order.

**ORDER**

Application below Exh. 9 is allowed.

Written statement filed by the defendants is accepted and read and recorded accordingly.

No order as to costs.

Parties to note.

**Chandgad**  
dt. 09.02.2022

**(Amrit C. Birajdar)**  
Civil Judge Junior Division, Chandgad

**CERTIFICATE**

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

Name of the Stenographer	Shri. P.W. Ghodekar, L. G. Stenographer.
Name of Court	Shri. A. C. Birajdar, Civil Judge, Junior Division and Judicial Magistrate, First Class, Chandgad.
Date of Dictation	09/02/2022
order signed by the P. O. on	09/02/2022
order uploaded on	10/02/2022