

R. C. S. No. 2/2024.
Amar Vs. Mahadev & Ors.
MHKO150000012024.

ORDER BELOW EXH- 37.

Perused application and say. Heard counsel for both sides while filing an application and say.

2. It is contention of defendant no. 1 to 5 that, after appearance due to non availability of old documents they could not able to contact their counsel. However, they could not filed any document to support their contention. It clearly falsify their contention. This is suit for perpetual injunction.

3. Record shows that, suit summons have been duly served to defendant no. 1 & 5 on 15.01.2025. Later on 28.03.2025, they were appeared in proceeding. However, failed to file W. S. within permissible limits and in result on 13.06.2025 no W. S. order was passed against them. Thereafter, they have changed their counsel and filed present application on 18.11.2025. The overall conduct of defendants shows that, they were not diligent to proceed with suit.

4. Valuable property right of defendants involved in present suit. The W. S. of defendants is just for final decision of suit. They have filed copy of their W. S. with this application. No prejudice would be caused to the plaintiff, if application allowed. Therefore, some cost need to impose over them for delay. Thus, I pass following order,

ORDER

1. Application is allowed, subject to cost of Rs. 500/- paid to Legal Aid, Ajara.
2. The delay caused to file W. S. by defendants hereby condoned.

3. After compliance of an order, W. S. of defendant be R & R.
4. Parties to take note.

(R. P Thore)

J.O.Code No.MH02897
Civil Judge, Junior Division,
Ajara.

Place- Ajara.

Date- 13.01.2026.

