

R. C. S. No. 53/2025.  
Suresh Vs. Subhash & Ors.  
MHKO150004512025.

**ORDER BELOW EXH- 53.**

Perused application and say. Heard counsel for both sides while filing an application and say. It is contention of defendant no.6 that, she is resided at her matrimonial house at Karnataka. Therefore, she could not able to contact her counsel to file W. S. within time. Hence, prayed to set aside no W. S. order passed against her.

2. Counsel for plaintiff filed say backside of the application and prayed to allow the same.

3. On perusing record it shows that, due to non appearance of this defendant vide order below Exh.1 dtd.27.01.2026 suit is proceeded ex-parte against this defendant. However, she prayed to set aside no W. S. order was passed against her.

4. This is suit for partition and separate possession. Valuable property right of this defendant involved in present suit. The reason assign by the non appearance or non filing of W. S. seems justifiable. Further, plaintiff not strongly oppose the same. No prejudice would be caused to the plaintiff, if application allowed. Thus, I pass following order,

**ORDER**

1. Application stands allowed, no order to cost.
2. The copy of W. S. filed by this defendant along with this application be accepted on record and marked at Exh.55.

Place- Ajara.  
Date- 06.04.2026.

**(R. P. Thore)**  
J.O.Code No.MH02897  
Civil Judge, Junior Division,  
Ajara.