


<p>MHKO160008132022</p> 	<p><u>Order below Exh.23 in R.C.S.No.160/2022</u></p>
---	---

1. The defendant has filed this application for condonation of delay for filing W.S. and say. According to defendant, delay caused to file their W.S. and say. Defendant prayed that if delay has not condoned then they will suffer irreparable loss. Plaintiff objected to the application stating that the defendant has not given the period of delay caused, also, they have not given any specific reason for the delay and prayed to reject the application.

2. After hearing both the parties, this court finds that, delay is caused to file W.S. and say of defendant and defendant prayed that if delay has not condoned then they will suffer irreparable loss. On the other hand, plaintiff objected to the application and prayed to reject the application stating that defendant has not given the period of delay caused and reasons for the delay. The W.S. and say of the defendant is important to decide this suit on merit. No prejudice will be caused to the plaintiff if this application is allowed. Plaintiff can be compensated by money. Considering all the facts, this court finds to grant this application. Hence, following order -

ORDER

1. Application Exh.23 is hereby allowed.

2. The delay caused to file W.S. and say by defendant is hereby condoned subject to cost of Rs.200/- to the plaintiff till next date.
3. After payment of the cost, the W.S. and say will be read and recorded.

Shahuwadi
Date : 13/12/2023

(Amol Shriram Shinde)
Civil Judge, Jr. Division,
Malkapur-Shahuwadi