

ORDER BELOW EXH.33 IN REG.CIVIL SUIT NO.76/2016

(Maruti Daulat Karambale Vs. Shakuntala Bhimrao Karambale)

1] Perused application and say. Heard both the sides and perused record. By this application def. nos. 3 (a) to 3 (c) have prayed for setting aside exparte order passed against them as they were unable to remain present in the court and file their W.S. due to agricultural work, old age of def. 3 (c) and def. 3 (b) was out of station and they have not avoided to remain present intentionally and if the said exparte order is not set aside then they will suffer an irreparable loss.

2] Plaintiff has opposed the application with the say that this application is false and defs. no.3 (a) to 3 (c) have intentionally remained absent & not filed W.S. within time.

3] Heard both the sides and perused record. Record shows that plaintiffs have filed this suit for partition & separate possession & def. no.3 (a) to 3 (c) are brought on record by plaintiff after death of def. no.3. Record shows that in spite of service of suit summons def. no.3 (a) to 3 (c) remained absent. So considering the above mentioned facts & circumstances, nature of dispute between the parties & reasons mentioned in this application, it will be proper to allow def. no. 3 (a) to 3 (c) to file their W.S. by setting aside exparte order against them. Hence, application is allowed. Exparte order passed against def. no.3 (a) to 3 (c) is hereby set aside subject to costs of Rs.500/- payable to plaintiffs.

Sd/-

(V.A.Awaghade)

Jt. Civil Judge Junior Division,

Panhala

Date :- 07-08-2018.

:- CERTIFICATE :-

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

Name of the Stenographer	Shri.A.A.Patil
Name of Court	Shri. V.A.Awaghade
Date of Dictation	07-08-2018
Order signed by the P.O. on	07-08-2018
Order uploaded on	07-08-2018