

MHKO190002432014



ORDER PASSED BELOW EXH.56

IN

R.C.S No.63/2014

Shri. Govind Ramchandra Kankekar (Deceased)
thr.L.Rs Vs. Shri. Vitthal Ramchandra Kankekar
(Deceased) thr. L.Rs
(Date:15/04/2024)

Defendant No.2 has filed the present application for condonation of delay and granting permission to file written statement.

2. The plaintiff has filed his say on the overleaf of this application and strongly opposed the application.

3. Heard both the sides. Perused the record. It appears that the plaintiff has filed present suit for the relief of partition and perpetual injunction. The subject matter of the present suit is an immovable property. The valuable rights of defendant No.2 are involved in it. If the suit is proceeded without written statement of the defendant No.2, then it would be cause prejudice to his rights.

4. Considering the above said discussion, I am of the view that delay is to be condoned and permission is to be granted to file his written statement. For delay, costs of Rs.500/- is to be saddled upon defendant No.2. In the result, I pass following order.

- ORDER -

1. The application below Exh.56 is allowed.

2 The delay is hereby condoned and defendant No.2 is permitted to file his written statement on record subject to costs of Rs.500/- (Five Hundred only) payable to the plaintiff on or before next date.

3. Parties to comply accordingly.

Sd/-

(D. M. G. Malidwale)

Civil Judge Junior Division,
Radhanagari.

Date:15/04/2024