

MHKO190004462024ORDER PASSED BELOW EXH.13 INR.C.S. No. 171 OF 2024

(Pandurang Sajana Barage Vs Krushna
Tukaram Ragho Barge)

(Date:02/09/2025)

Defendant has filed the present application(Exh.13) for setting aside no Written Statement (inshort WS) order passed on 26/03/2025.

2. The plaintiff has filed his say on the overleaf of the application and opposed the application. In the alternative he prayed for imposing heavy costs if the application is allowed.

3. Heard Ld. Advocate for the defendant and Ld. Advocate for the plaintiff.

4. Perused the record. Valuable rights of defendant are involved in it. If the suit is proceeded without WS of defendant, then it would cause prejudice to his rights. No doubt there is delay of 7 months in filing WS on his part, but it is necessary to reiterate the cardinal principal of natural justice that no one should be condemned unhurt. Considering such, it is just and proper to set-aside No WS order passed on 26/03/2025 and to permit the defendant to file his WS by imposing reasonable costs. Hence, following order:

ORDER

1.	The application(Exh.13) is allowed.
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2.	No WS order passed against defendant is set aside subject to costs of Rs. 200/- (Rs. Two Hundred Only) payable to plaintiff.
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sd/-

(N. P. Kakade)

Date:02/09/2025

Jt. Civil Judge Junior Division

Radhanagari.