

ORDER BELOW EXH. 15

This is an application for setting aside “No Written Statement Order” passed against defendants 2 and 3. The defendants averred that due to important work they were at Mumbai. Therefore, they could not instruct their advocate. Consequently their written statement is not filed with the time limit. Hence, prayed for setting aside the “No Written Statement Order “ passed against them.

2. Ld Advocate for plaintiff replied the application. He contents that, the content of application is false and after thought. Ultimately he prayed for cost if application is allowed.

3. Perused record. Heard both sides. On 19/12/2016 “No Written Statement Order” is passed against defendants 2 and 3. In order to decide the dispute between the parties on merits it is necessary to give fair opportunity to both sides. If the application is rejected the defendants will be deprived of his right to defend the suit. Therefore, the application is needs to be allowed. The delay that caused due to defendants can be compensated by way of cost. Thus, following order :-

order

1. The application is allowed subject of cost of Rs. 500/-
2. Out of the cost of Rs. 500/-, Rs. 200/- be paid to plaintiff and remaining Rs. 300/- is to be paid in Legal Aid Radhanagari.

Date : 19 -07-2017.

(M. H. Shitole)
Civil Judge, Jr.Dn., Radhanagari.

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

Name of the Stenographer	U.S.Telang
Name of Court	Civil Judge, Junior Division & Judicial Magistrate, First Class, Radhanagari.
Date of Dictation	19/07/2017
Order signed by the P.O. On	19/07/2017
Order uploaded on	25/07/2017