

MHKO190007202023



ORDER PASSED BELOW EXH.30

IN

R.C.S No.264/2023

Ashok Ramchandra Patil Vs. Dilip Ramacharda  
Patil and other 2

(Date:25/02/2024)

Defendants have filed the present application for delay condonation caused for filing their W.S which is treated as an application for No W. S set aside.

2. Plaintiff has filed his say overleaf of the application and strongly opposed the application.

3. Heard both the sides. Perused the record. It appears that plaintiff has filed present suit for the relief of declaration, partition and perpetual injunction. The subject matter of the present suit is immovable properties. The valuable rights of defendants are involved in it. If the suit is proceeded without W.S of defendants then it would be cause prejudice to their rights.

4. Considering the above said discussion, I am of the view that No W.S order passed against defendants is to be set aside. For delay, costs of Rs.100/- is to be saddled upon defendants. In the result I pass following order.

**- ORDER -**

1. The application below Exh.30 is allowed and No W. S order passed against defendants is set aside subject to costs of Rs.100/- payable to the plaintiff.

2. Defendants shall pay the costs amount to plaintiff on or before next date.

3. Parties to comply accordingly.

Date:25/02/2025

(R. D. Shinde)  
Civil Judge Junior Division,  
Radhanagari.