

MHKO190008332022



ORDER PASSED BELOW EXH.31

IN

R.C.S No.288/2022

Krishnat Vithoba Sutar Vs. Madhukar Govind Sutar
etc.16

(Date:25/09/2023)

Defendant No.10 has filed the present application for setting aside No W.S order passed against her.

2. The plaintiff has filed his say on the application itself and prayed to reject 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 declaration. The subject matter of the present suit is an immovable properties. The valuable rights of defendant No.10 are involved in it. If the suit is proceeded without W.S of defendant No.10 then it would be cause prejudice to her rights.

4. Considering the above said discussion, I am of the view that No W.S order passed against defendant No.10 is to be set aside. For delay, costs of Rs.500/- is to be saddled upon defendant No.10. In the result I pass following order.

- ORDER -

1. The application below Exh.31 is allowed and No W. S order passed against defendant No.10 is set aside subject to costs of Rs.500/- payable to the plaintiff.

2. Defendant No.10 shall pay the costs amount to the plaintiff on or before next date.

3. Parties to comply accordingly.

Date:25/09/2023

(D. M. G. Malidwale)
Civil Judge Junior Division,
Radhanagari.