

MHLA010002422026



M.C.A.No.6/2026

Rajendra Narayan Bhong

Vs.

Bankat Dadarao Dodke

ORDER BELOW EXH.12

Perused application. This application has been filed by advocate for respondent with a prayer for setting aside No. Say order passed against him on 07.07.2026. According to him the delay in filing say/reply to the appeal is not intentional but because of ill health of advocate of respondent. He was at Haridwar for medical treatment for one month. The respondent wants to contest this appeal. For proper adjudication of this appeal, it is necessary to grant permission to the respondent to file say/reply. Hence, he prayed that application be allowed.

2. This application has been strongly opposed by advocate for appellant submitting that, the respondent is playing tactics to prolong the appeal despite various chances, he failed to submit his reply. Grounds mentioned in the application are not justified. He prayed that application be rejected.

3. Heard both sides. Perused the record.

4. It appears from record that, respondent was given sufficient opportunities to file say/reply. However, he failed to file the same. Hence, on 07.07.2026 no reply order came to be passed against him. Matter is at argument stage. The appellant has not yet advanced final argument. If lenient view is taken respondent is permitted to file reply he will get an opportunity to contest the appeal and the appeal

can be decided on merits. The reasons for delay are supported by affidavit. Hence, in view of above reasons present application deserves to be allowed. Hence, the following order :

ORDER

1. Instant application is allowed.
2. The No. Say/Reply. order passed below Exh.1 dated 07.07.2026 passed against respondent is hereby set aside. The reply filed by respondent along-with this application be taken on record.
3. The appeal be posted for final argument.

Sd/-

(R. B. Bhagwat)

District Judge-2, Latur.

Date : 31/07/2026