

MHLA010055352025



MACP No.318/2025

Kuldeep Vijaykumar Joshi Vs
Kamlakar Digambarrao Jadhav And
Another

ORDER BELOW EXH.18

Perused application. This application has been filed by advocate for respondent no. 2 with a prayer for setting aside Ex-parte order passed against them on 16.02.2026. According to their advocate the delay in appearance is not intentional. No instructions were received by the advocate from respondent no.2 for appearing in the matter. Respondent no.2 want to contest this petition. For proper adjudication of claim it is necessary to grant permission to them. Respondent no.2 prayed that application be allowed.

2. This application has been objected by advocate for claimant. He submitted that necessary order be passed.

3. Heard both sides. Perused the record.

4. It appears from record that, Respondent no. 2 was duly served with notice. He was given sufficient opportunity to appear and file Written Statement. However, none appeared despite grant of sufficient opportunity. Matter is at the stage of hearing. However, hearing has not commenced yet. If lenient view is taken respondent no 2 will get an opportunity to contest the petition and the petition can be decided on merits. The reasons for delay are supported by affidavit. The delay is not much. Hence, in view of above reasons present application

deserves to be allowed with costs. Hence, the following order :

ORDER

1. Instant application is allowed.
2. The ex-parte order passed below Exh.1 dated 16/02/2026 against respondent no. 2 passed is hereby set aside subject to costs Rs.500/- payable by next date to the claimant.

Sd/-

(R. B. Bhagwat)

District Judge-2 & Ex-officio
Member of M.A.C.T., Latur.

Date : 07/04/2026