

Order passed below Exh. 35

Read application and say filed thereon. Heard both the parties. 'No W.S.' order is passed against defendants No. 1 & 2 on 07.02.2017 and present application is filed on 11.07.2018. The application is supported by the affidavit of defendant No. 2. Though the reasons mentioned in the application are appears to be satisfactory to set aside the No W.S. order but there is considerable delay of 18 months. The matter is in respect of immovable property, so as to decide the rights of the parties on merit it will be just and proper to set aside No W.S. order passed against defendants No. 1 & 2. The plaintiff can be awarded with costs. Hence, I pass following order.

ORDER

1. No W.S. order passed against defendant No. 1 & 2 is set aside subject to costs of Rs. 200/-.
2. Defendant No. 1 & 2 shall pay the costs on or before next date.

Nilanga.
Date : 24.09.2018

Sd/-
(R. P. Kulkarni)
Civil Judge Senior Division
Nilanga.