

MHLA110014052018



ORDER BELOW EXHIBIT NO. 72 IN

REG. CIVIL SUIT NO.357/2018

Lailabee Vs. Mohamadali

1. This is an application for setting aside 'No W.S. Order' passed against defendant No.2/1 and 2/2.
2. Read the application and say filed thereon. Heard the learned counsel for both sides.
3. It is pertinent to note that reason mentioned in the application is supported by the affidavit of defendant No.2/1 and 2/2. Further *Audi Alteram partem* i.e. no one should be condemn unheard is basic principle of the natural justice. In these circumstances, no serious prejudice will be caused to the plaintiff, if 'No W.S.' passed against defendant No.2/1 and 2/2 is set-aside. Hence, considering the reasons mentioned in the application and to decide the case on merits, application deserves to be allowed. However as the matter is pending for the argument and the application is filed belatedly, the same is liable to be allowed on costs. Thus, I pass the following order:

ORDER

- 1) Application at Exhibit No.72 is hereby allowed on cost of Rs. 500/- (Rs. Five Hundred only) to be paid to plaintiff.

Nilanga
Dt.:- 07/05/2026

(Smt. V. D. Bhosale)
Jt. Civil Judge Sr. Dn., Nilanga.