

MHLA110002522025



ORDER BELOW EXH.23 IN
REGULAR CIVIL SUIT NO.47/2025
SUDHABAI VS. COLLECTOR & ORS.

1. This is an application for setting aside no written statement order passed against defendant Nos.5 to 8.
2. Read application and say filed thereon. Heard Learned Counsel for both sides.
3. The application for setting aside no written statement order is supported by the affidavit of defendant No.8. *Audi Alteram partem* i.e. no one should be condemn unheard is basic principle of the natural justice. No serious prejudice will be caused to plaintiff, if no written statement order passed against defendant Nos.5 to 8 is set-aside. Hence, considering the reasons mentioned in the application and to decide the case on merits, application deserves to be allowed. However, there is huge delay in filing this application, therefore, it needs to be allowed on heavy costs. Thus, I pass the following order:

ORDER

Application at Exhibit No.23 is hereby allowed subject to cost of Rs.1,000/- (Rs. One Thousand only) payable to plaintiff till next date, without any fail.

Dt.:- 09/06/2026

Jt. Civil Judge Sr. Dn., Nilanga.