

**Order below Exh.109 in RCS No.261/2015**

By this application defendant Nos.1/4 to 1/8 have requested for setting aside no WS/say order dated 29/09/2023 and granting them permission to file their WS/say, on the grounds stated in the application. Plaintiff has filed his say and raised objections. Perused application and say. Heard both the sides. Record shows that defendant Nos.1/4 to 1/8 are some of the legal heirs of deceased defendant No.1 and they appeared through their counsel vide **Exh.97** on 21/07/2023. They failed to file their WS on 29/09/2023 in spite of the fact that their application at **Exh.105** dated 29/09/2023 seeking time to file WS was allowed. Be that as it may. Considering the nature of suit, reliefs claimed and to grant an opportunity of fair trial, I pass following order:-

**ORDER**

1. Application is allowed.
2. No WS/say order dated 29/9/2023 passed against defendant Nos.1/4 to 1/8 is set aside and they are permitted to file their WS/say.
3. The WS/say filed by defendant Nos.1/4 to 1/8 be taken on record.
4. No order as to costs.

Date :02/02/2024

Sd/-  
(Ashish B. Marlecha)  
Civil Judge (Sr.Dn.),  
Nilanga, Dist. Latur.