

Order below Exh.107 in RCS No.261/2015

By this application defendant Nos.1/1 to 1/3 have requested for setting aside no WS/say order dated 30/10/2023 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.1/1 to 1/3 are some of the legal heirs of deceased defendant No.1 and they appeared through their counsel vide **Exh.103** on 30/08/2023. They failed to file their WS/say on 30/10/2023 in spite of the fact that their application at **Exh.106** dated 29/09/2023 seeking time to file WS was allowed as last chance. 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 30/10/2023 passed against defendant Nos.1/1 to 1/3 is set aside and they are permitted to file their WS/say.
3. The WS/say filed by defendant Nos.1/1 to 1/3 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.